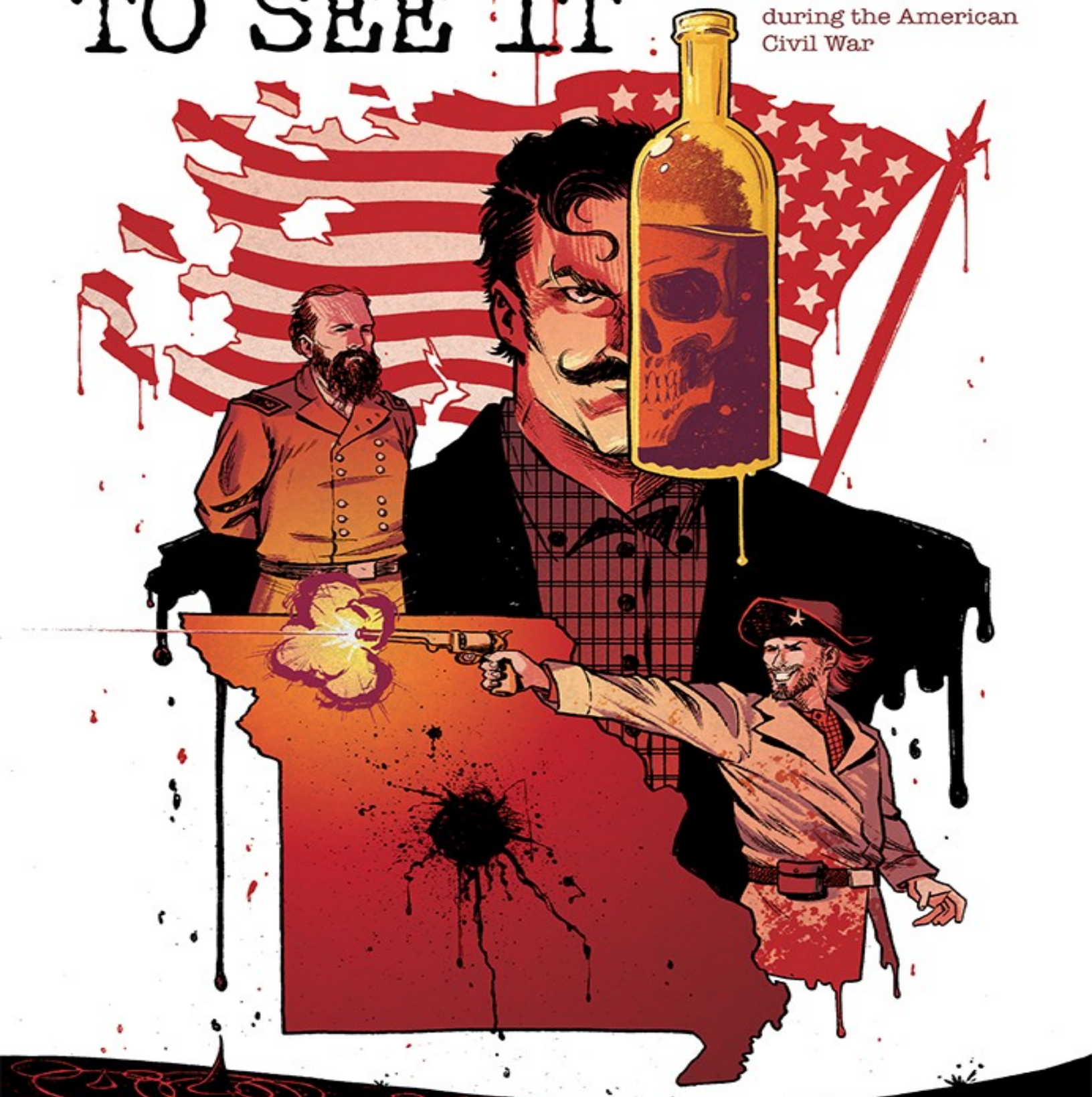
HOPE NEVER TO SEE IT

A Graphic History of Guerrilla Violence during the American Civil War



ANDREW FIALKA & ANDERSON CARMAN

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A Graphic History of Guerrilla Violence during the American Civil War

Researched and Written by
Andrew Fialka

Illustrated and Designed by
Anderson Carman

The University of Georgia Press * Athens

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For Pattie

How to read this book

Text in a four-cornered caption box like this is material written by Fialka. "Except for material in quotations."

"Text in a caption box with torn edges like this is a direct quote from a source [except for material in brackets]."

TEXT IN ALL CAPS LIKE THIS IS INFORMATION SUCH AS A DATE OR A NAME.

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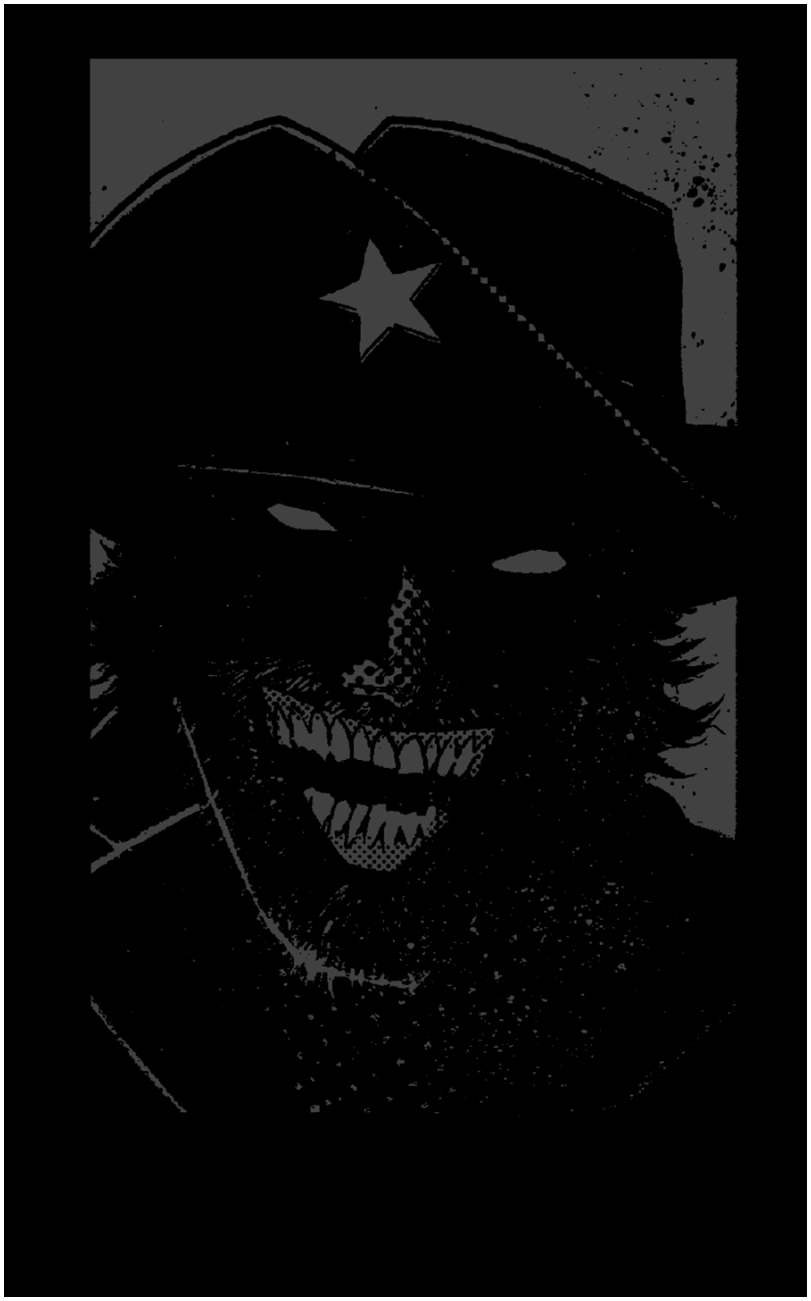
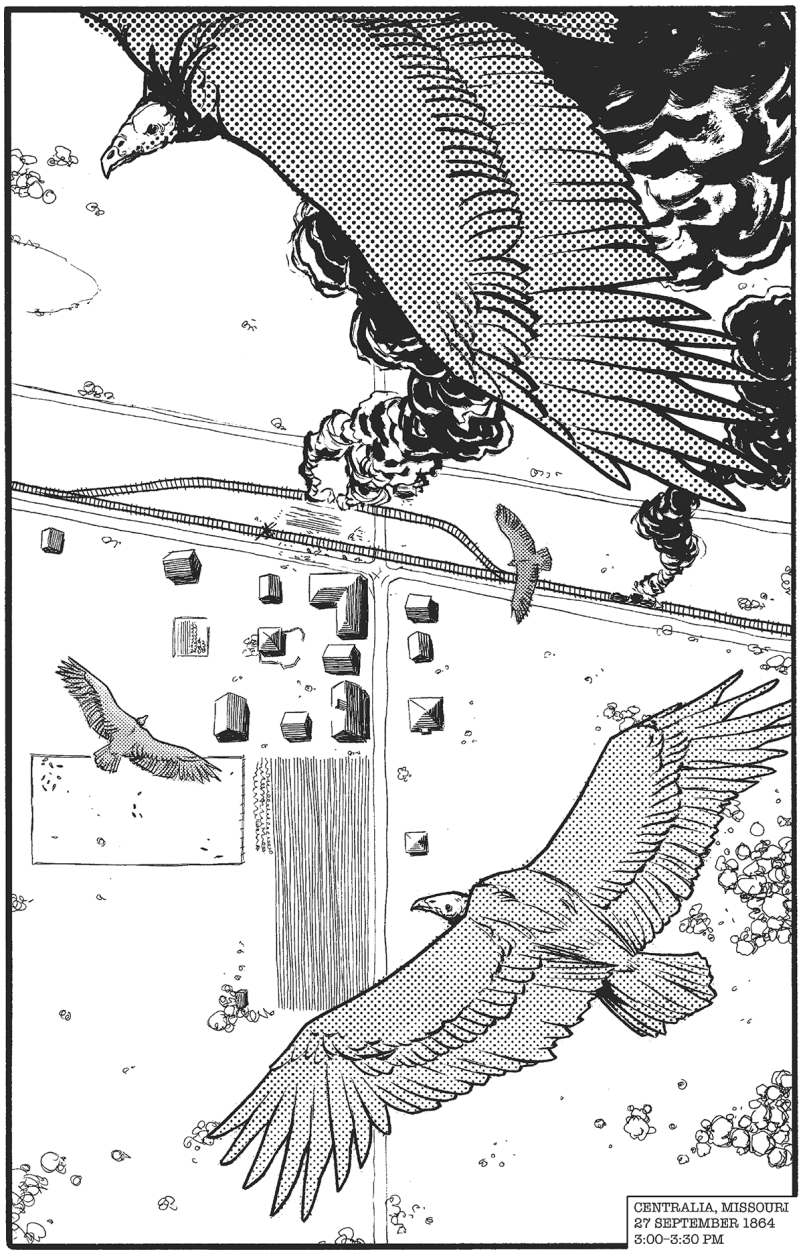
"The spectacle of a spontaneous uprising of a nation is rarely seen; and, though there be in it something grand and noble which commands our admiration, the consequences are so terrible that, for the sake of humanity, we ought to **hope never to see it**."

—Antoine-Henri Jomini, *The Art of War*

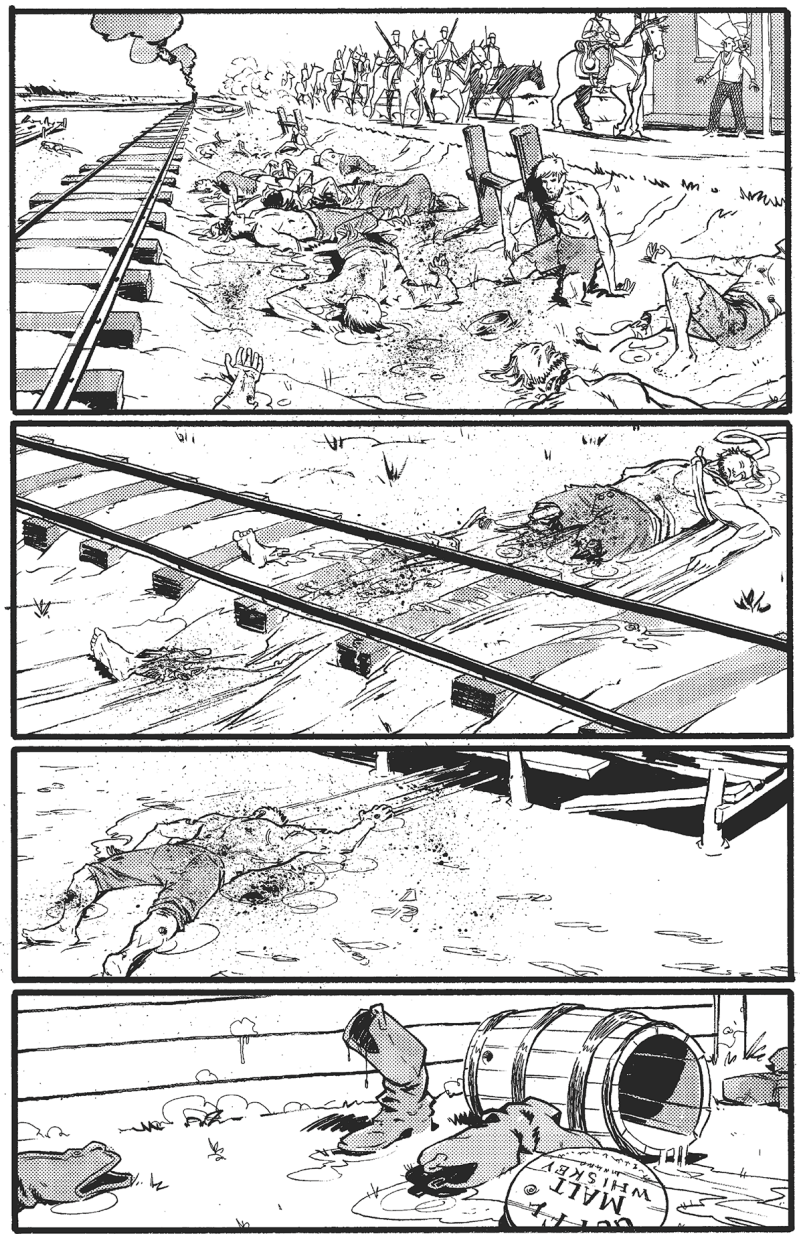
CHAPTER 1

THE AMBUSH



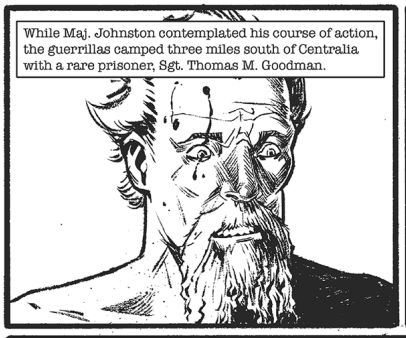

CENTRALIA, MISSOURI
27 SEPTEMBER 1864
3:00–3:30 PM

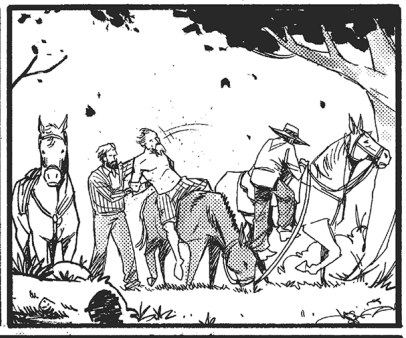
Approximately 150 U.S. soldiers of the 39th Missouri Infantry, led by Maj. A. V. E. Johnston, rode into Centralia after spotting smoke from their post in nearby Paris.


MALT
WHISKEY

[WHAT HAPPENED HERE?]
[BILL ANDERSON'S GUERRILLAS. WE MAY STILL BE ABLE TO SEE THEM FROM THE HOTEL.]
THERE THEY ARE NOW!
DON'T ATTACK THEM. THEY LARGELY OUTNUMBER YOU...
... AND THEY ARE MUCH BETTER ARMED AND MOUNTED.
HOW MANY?
THERE ARE SAID TO BE ABOUT 400.

I WOULD LIKE TO KILL THE DAMN YANKEE.
HELL-FIRE IS TOO GOOD FOR YOU. YOU SON OF A BITCH!

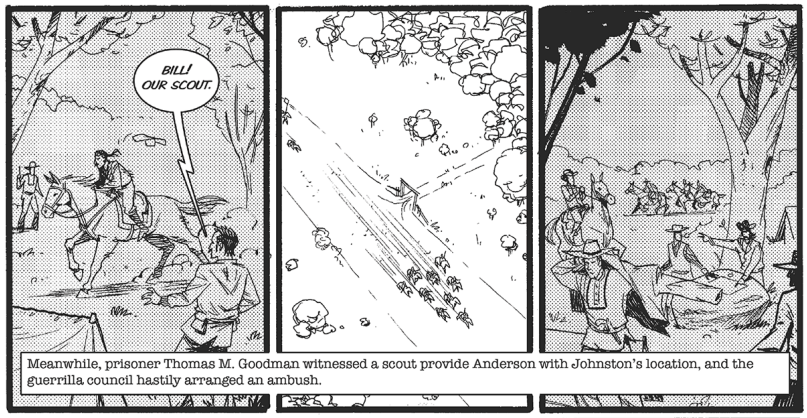

While Maj. Johnston contemplated his course of action, the guerrillas camped three miles south of Centralia with a rare prisoner, Sgt. Thomas M. Goodman.



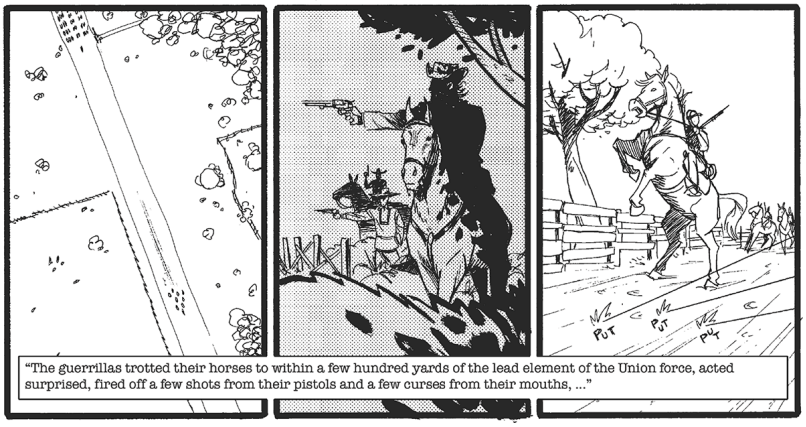
I SAY...
I WONDER HOW IN THE HELL ANDERSON HAS PERMITTED THAT DAMN YANKEE TO LIVE SO LONG?
DUN NO... 'TAINT LIKE OLD BILL. IS 'T?
By September 1864, William "Bloody Bill" Anderson had surpassed William Quantrill as Missouri's most dangerous guerrilla, capable of uniting the state's fractured bands into a broader command.

Under Anderson, guerrilla bands organized in central Missouri to coordinate with Gen. Sterling Price's Confederate army that was invading the state. After the massacre at the railroad depot, guerrilla leaders deliberated in council, likely analyzed any new information lifted from town, and sent out pickets from their camp.

Maj. A. V. E. Johnston decided to give the guerrillas chase. He left a rear guard in Centralia and ordered an advance guard ahead of his main column.

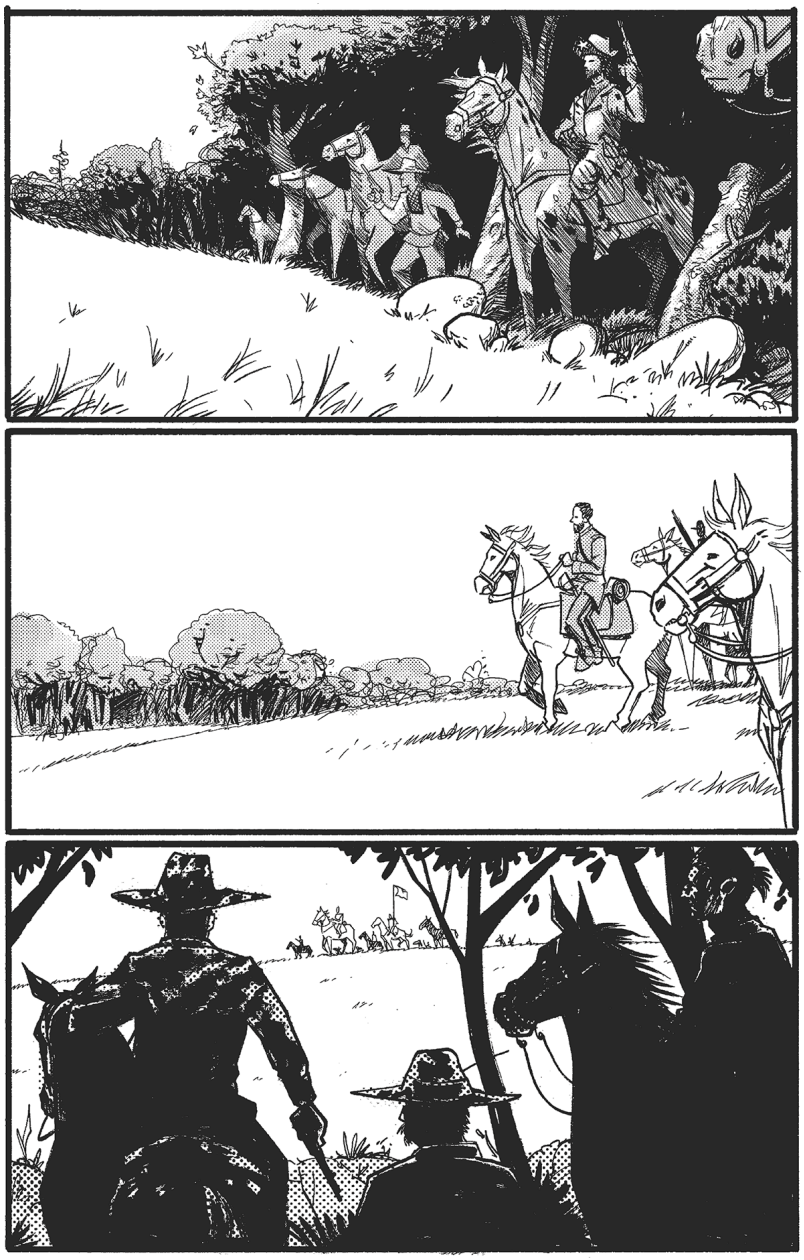


Meanwhile, prisoner Thomas M. Goodman witnessed a scout provide Anderson with Johnston's location, and the guerrilla council hastily arranged an ambush.

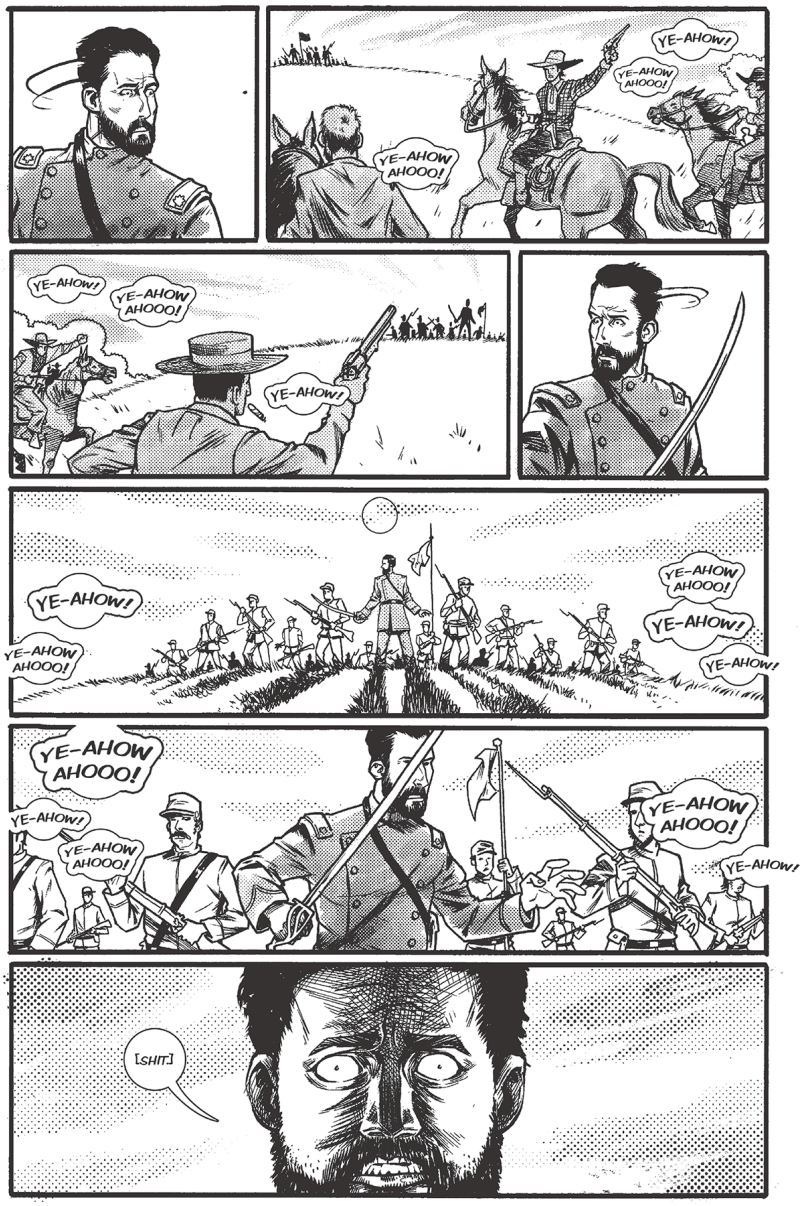


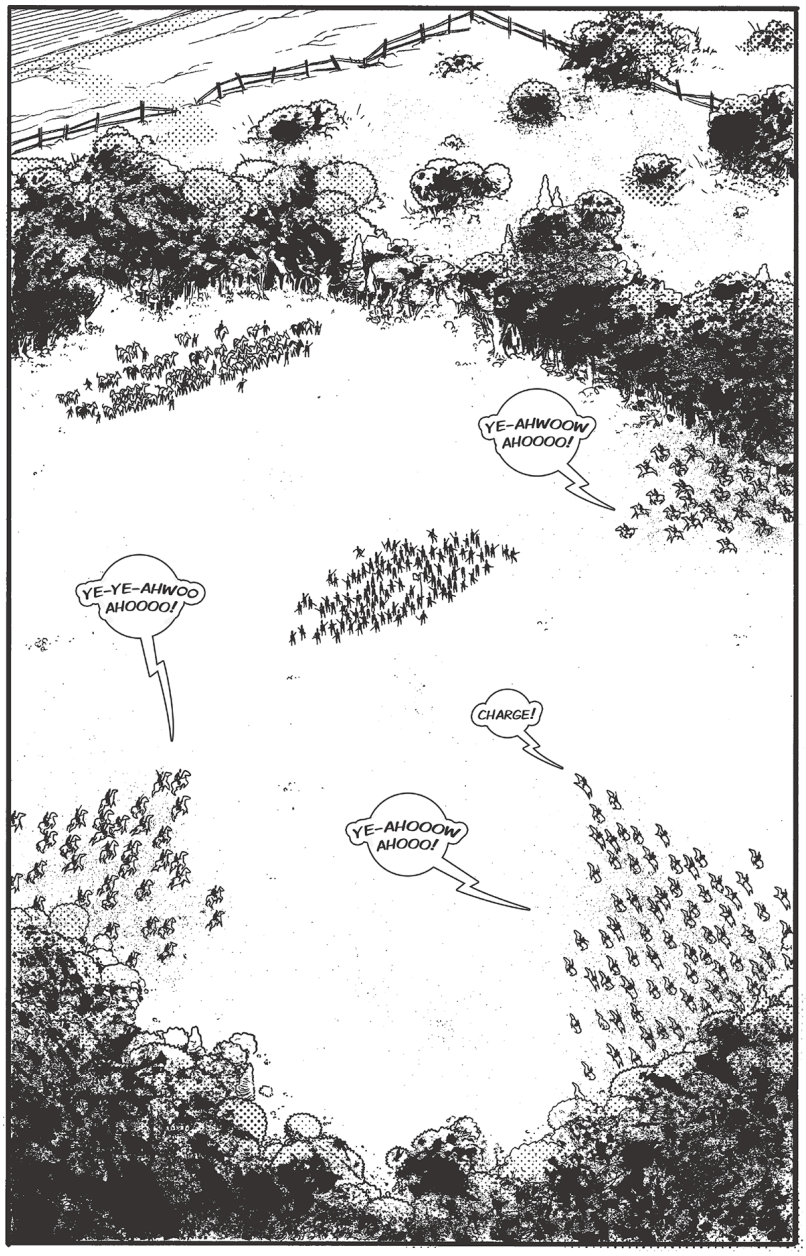
"The guerrillas trotted their horses to within a few hundred yards of the lead element of the Union force, acted surprised, fired off a few shots from their pistols and a few curses from their mouths, ..."

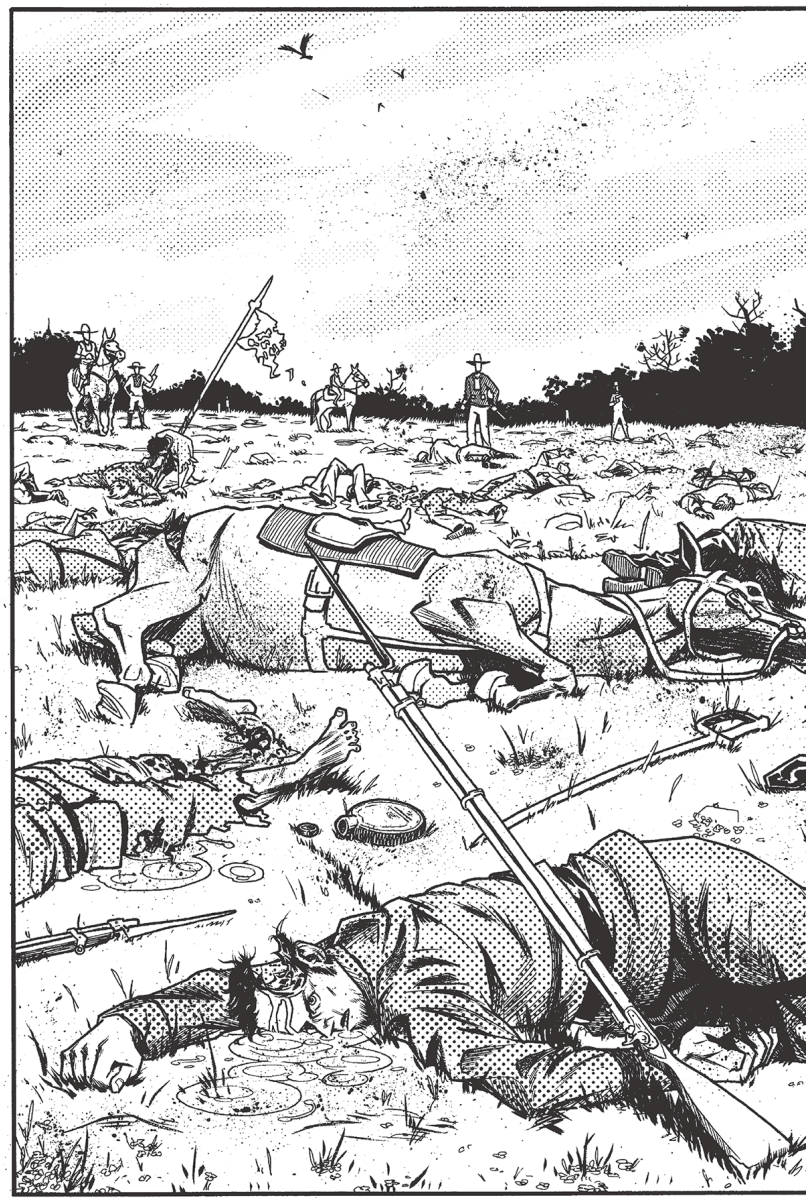
"... and then wheeled around and set off toward the killing zone."
"The guerrillas ... successfully trick[ed] the larger Union force back ..."
"... to the ambush site."

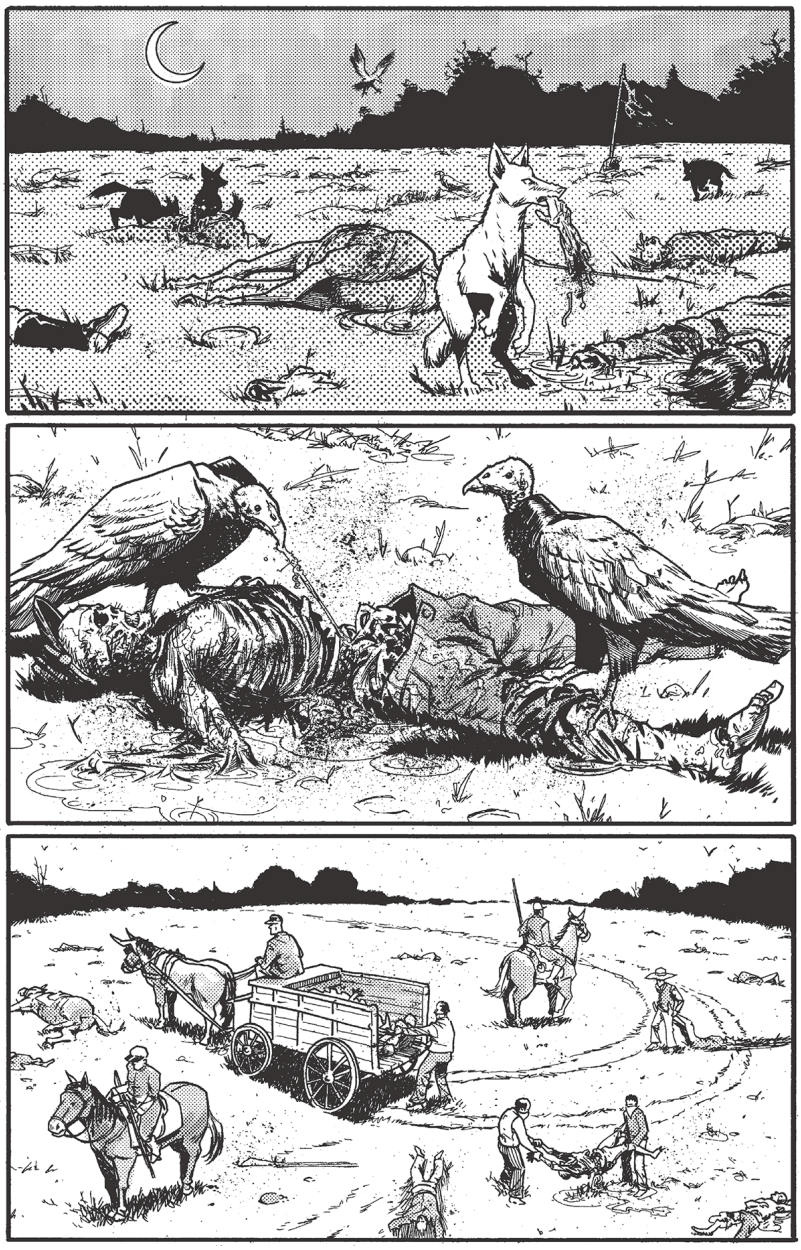


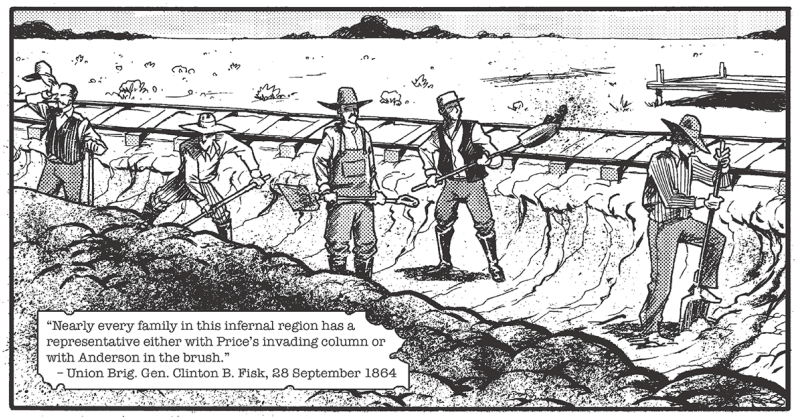
[PREPARE TO DISMOUNT!]
[DISMOUNT! FORM RANKS!]
[FIX BAYONETS!]
WHEN WE CHARGE, BREAK THROUGH THE LINE AND KEEP STRAIGHT ON FOR THEIR HORSES.

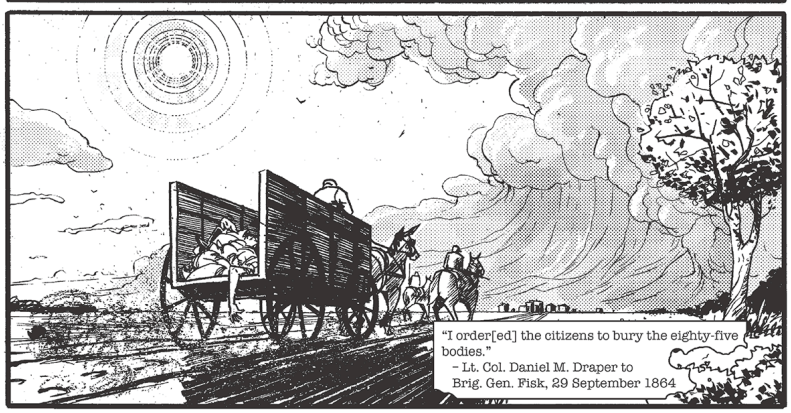

YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW AHOOO!
YE-AHOW!
YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW!
YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW!
YE-AHOW AHOOO!
YE-AHOW!
[SHIT]

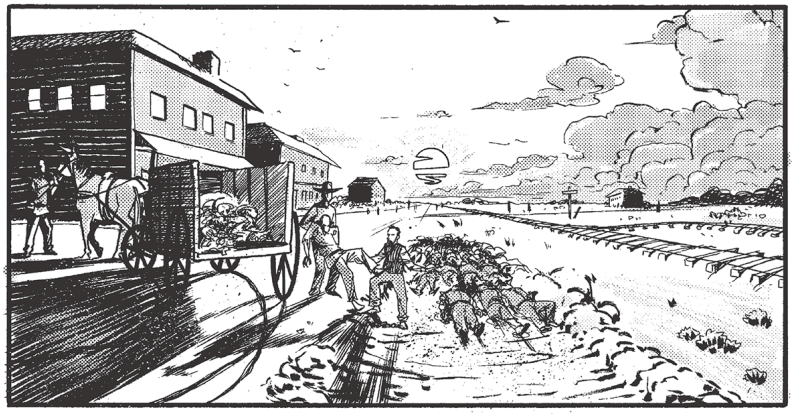

YE-AHWOOW AHOOOO!
YE-YE-AHWOO AHOOOO!
CHARGE!
YE-AHOOOW AHOOO!

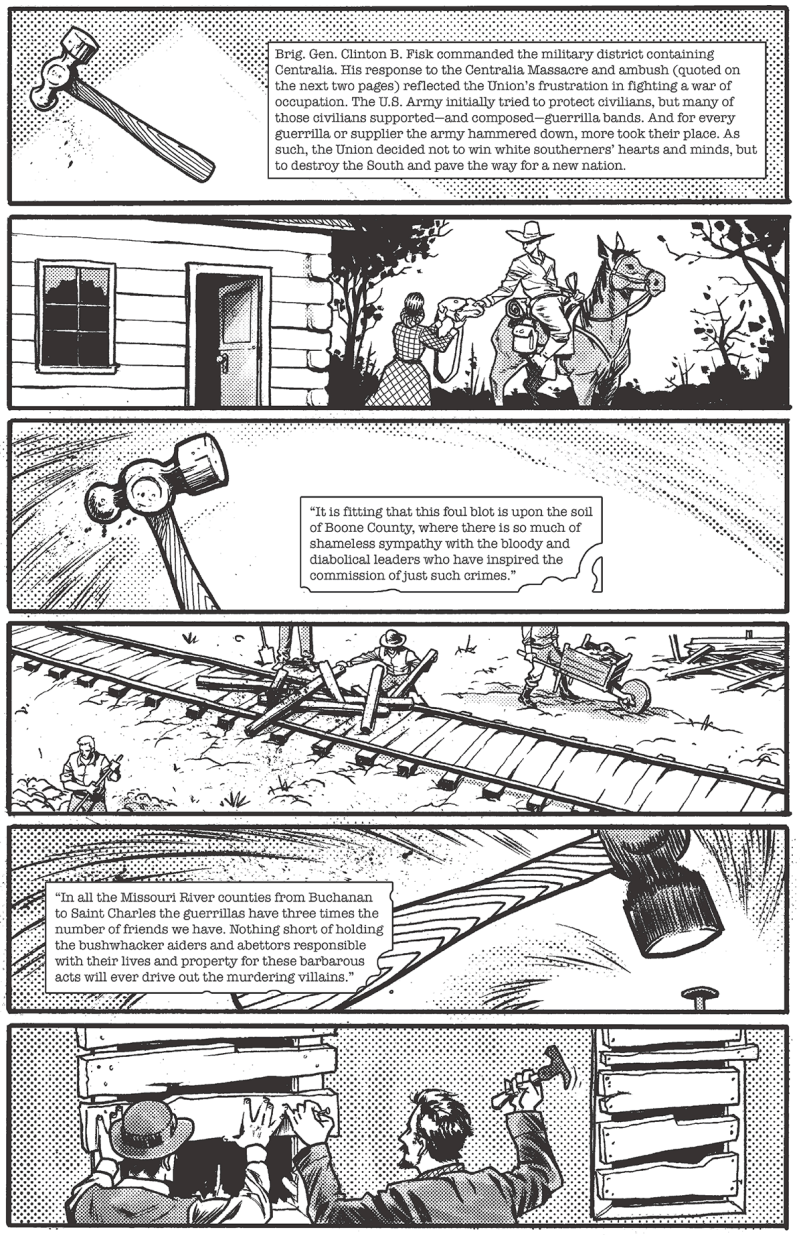


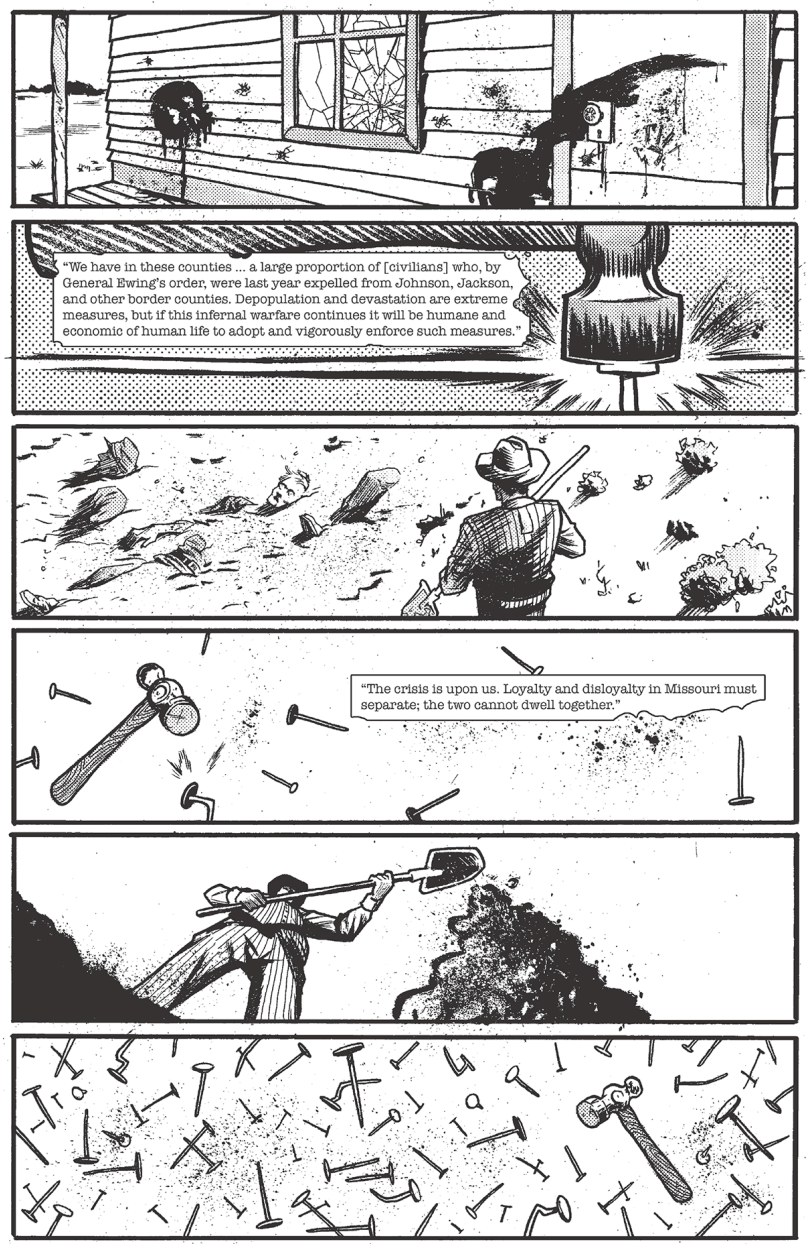



"Nearly every family in this infernal region has a representative either with Price's invading column or with Anderson in the brush."
– Union Brig. Gen. Clinton B. Fisk, 28 September 1864


"I order[ed] the citizens to bury the eighty-five bodies."
– Lt. Col. Daniel M. Draper to Brig. Gen. Fisk, 29 September 1864

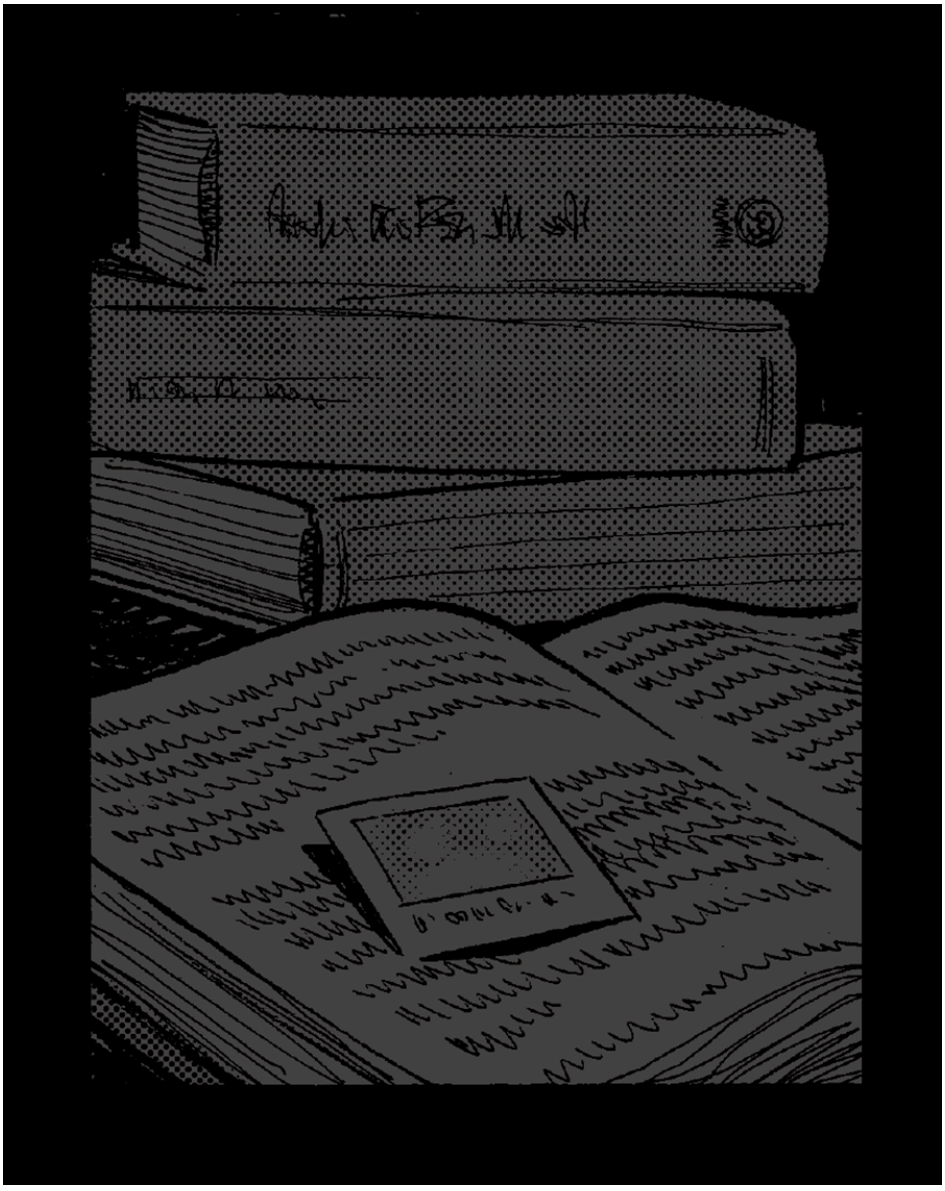



Brig. Gen. Clinton B. Fisk commanded the military district containing Centralia. His response to the Centralia Massacre and ambush (quoted on the next two pages) reflected the Union's frustration in fighting a war of occupation. The U.S. Army initially tried to protect civilians, but many of those civilians supported—and composed—guerrilla bands. And for every guerrilla or supplier the army hammered down, more took their place. As such, the Union decided not to win white southerners' hearts and minds, but to destroy the South and pave the way for a new nation.
"It is fitting that this foul blot is upon the soil of Boone County, where there is so much of shameless sympathy with the bloody and diabolical leaders who have inspired the commission of just such crimes."
"In all the Missouri River counties from Buchanan to Saint Charles the guerrillas have three times the number of friends we have. Nothing short of holding the bushwhacker aiders and abettors responsible with their lives and property for these barbarous acts will ever drive out the murdering villains."


"We have in these counties ... a large proportion of [civilians] who, by General Ewing's order, were last year expelled from Johnson, Jackson, and other border counties. Depopulation and devastation are extreme measures, but if this infernal warfare continues it will be humane and economic of human life to adopt and vigorously enforce such measures."
"The crisis is upon us. Loyalty and disloyalty in Missouri must separate; the two cannot dwell together."

CHAPTER 2

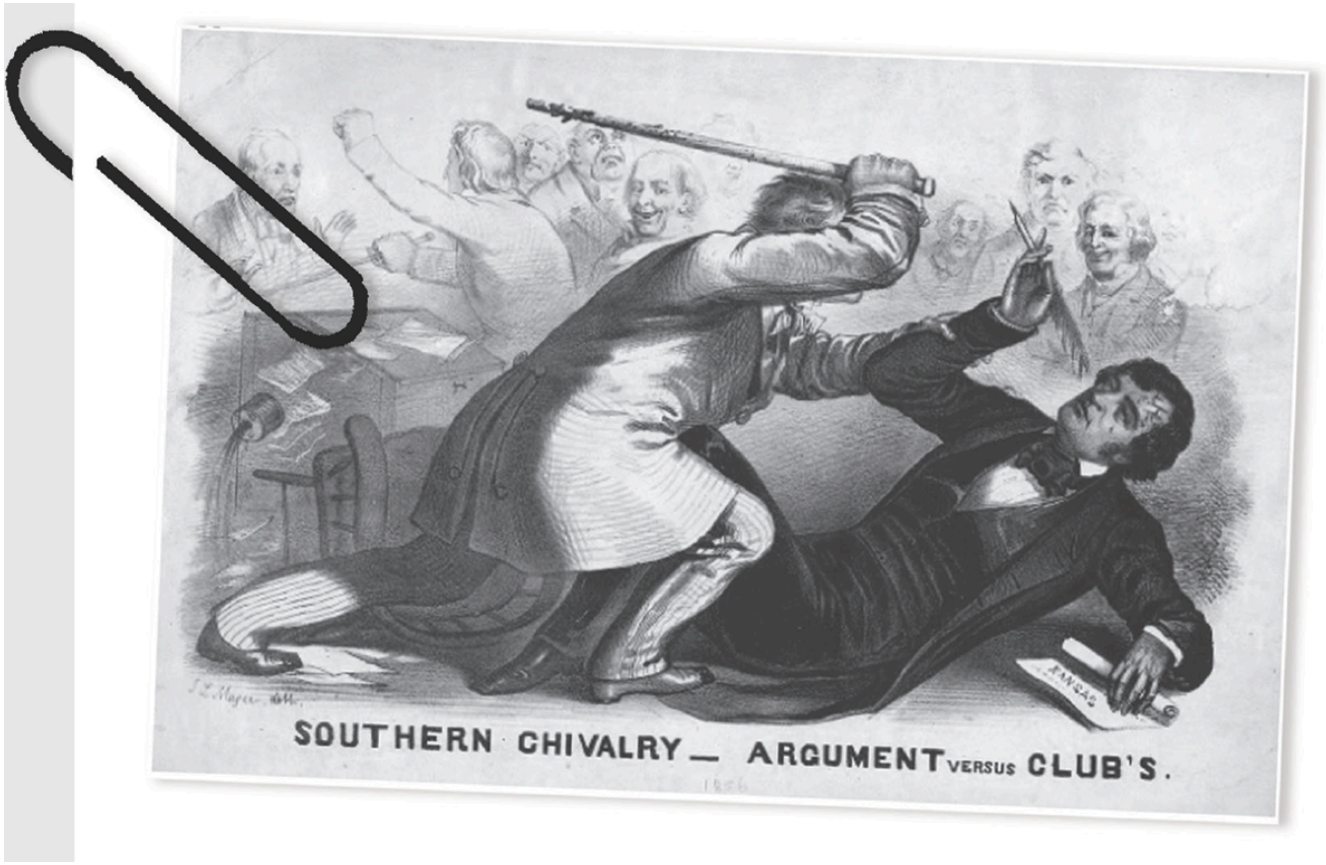
THE CONTEXT



This is a book about Civil War violence in central Missouri as viewed on the smallest possible scale: the ground. To achieve this level of detail, the book combines academia's research and peer-review processes with the comic industry's storytelling—everything you see is the artist Anderson Carman's interpretation of cross-checked archival source material.[1] The goal of

combining this graphic form and view from the ground is twofold. First, we know that the "history that lies inert in unread books does no work in the world." Civil War historians are a big and productive bunch, but we can always better diversify the ways we broadcast our research. Second, this book aims to "re-immerse ourselves in the nightmare of History rather than resting easy while dreaming that it is dawn and we have awakened." The Civil War's violence is all around us—at protests over statue removals, in white supremacist organizations, as underpinning for political partisanship. Sometimes we need a reminder to keep fighting for the conflict's better legacies of equality and union.[2]

The violence at the heart of this book revolves around guerrillas—those civilians who took up arms without joining a formal army or navy—and Federal occupiers. Time has morphed how we judge guerrillas. In the late 1800s, white southerners and northern reconciliationists fit guerrillas into Lost Cause propaganda as Robin Hood–like characters who sabotaged unwanted occupying armies. In the 1960s, Civil War historians picked up the mantle at a time when guerrillas coded as communists. The left-wing radicals of that era made guerrillas un-American; guerrillas fought dirty and without restraint, the very opposite of America's ability to police the world with civilized and moral power. As such, these historians relegated Civil War guerrillas to a "sideshow"—they targeted civilians, not occupying armies, and their brutality tarnished the sacrifices of volunteer soldiers. Most important, historians argued, guerrillas never seriously affected the war's outcome. This rationale started to crack in the wake of the Vietnam War, as historians became more interested in studying guerrillas. The more historians looked for guerrillas, the more sideshows they found. The more sideshows they found, the less they were able to draw a curtain between a "regular" war and an "irregular" one. Many modern historians see no distinction at all; they interpret the Civil War as a war of occupation and insurgency, an experiment in nation building, and a conflict that targeted southern households. Carman's illustrations of the war's worst moments support this interpretation—Missouri's conventional battles, guerrilla warfare, households, and occupational policies were interwoven with many of the same actors, targets, and tactics.[3]



The book's title comes from Antoine-Henri Jomini's 1838 *Summary of the Art of War*. Jomini described an armed uprising unendorsed by the government as "so terrible that, for the sake of humanity, we ought to hope never to see it." He then went on to write the world's best treatise on Napoleonic warfare—that is, warfare contained to armies and battlefields and logistics. Another nineteenth-century military theorist, Carl von Clausewitz, approached the subject from a different angle. He argued that war was "an act of force, and to the application of that force there is no limit. Each of the adversaries forces the hand of the other, and a reciprocal action results which in theory can have no limit." For Clausewitz, "real war" was a stark contrast to "war on paper"—fighters acted irrationally, broke the rules, and reinvented war's limits, whether endorsed by the government or not. In that light, guerrilla-style violence seems like an unfortunate yet inevitable part of real war. *Hope Never to See It* shows what Jomini never wanted humanity to see: Clausewitz's reciprocal process unfolding in Missouri with state and non-state actors—commanders, soldiers, guerrillas, and civilians.[4]

The Civil War's excessive force did not start with a guerrilla or rogue soldier; it was rooted in 240 years of violence among white settlers, against Black enslaved people, against Indigenous peoples, and among politicians. In 1824 in Howard County, Missouri, Major Taylor Berry assaulted Abiel Leonard in the street with a horsewhip for cross-examining Berry's witness in court too roughly. Leonard challenged Berry to a duel "to vindicate his insulted honor," killing him with a shot through the chest. For white men, the ability to wield violence—to defend family and honor, to hunt game, and to control those they had enslaved—dictated their social standing. In 1847 in St. Charles, "Philip Culver undertook to chastise a negro; the negro resisted, Culver seized a hatchet, dealt him a blow on the head, and felled him to the ground." When someone asked Culver "why he should kill his father's negro, Culver replied that the negro had made him mad, for which he wished to correct him." Violence against Indigenous

peoples is so overwhelming that their deaths are relegated to statistics: Indigenous populations "were halved between 1600 and 1700 and then reduced again by a third between 1700 and 1800." In our nation's capital, not only did "Congress endorse fighting, but by reelecting combatants, the nation did the same, encouraging their representatives to literally fight for their rights." And what right did congressmen fight over most frequently? The right to bring enslaved property onto Indigenous lands.[5]

Laws, social norms, and political opposition existed to limit all of this violence. Northern and southern elite men sought self-control over their violent tendencies, a main attribute of the Victorian era's idyllic self-made man. Enslavers' power was not unconditional at the local level; it rested on their standing in the community and their devotion to "keeping the peace." Some members of the Whig Party vehemently opposed Indian removal, John Quincy Adams calling it "among the heinous sins of this nation." The Founding Fathers designed core tenets of American political theory—free and fair elections, Congress as a forum for debate, and the separation of powers—to foster compromise and decrease violence.[6]

Still, violence often spills over its imposed limits, no matter how exceptional the instances of that happening are. It still matters that governments engage only in justified wars and that a global body condemns and tries to prevent unjustified wars. It still matters that journalists document violence, that militaries report violence and archive their records, and that scholars analyze violence's exception and rule to establish precedent. But the realism of excessive violence demands a more realistic familiarity with military history. The price is so high for war's participants—those who survive return to a world that cannot possibly understand what they've been through—that the end goal had better be worth it. The common interpretation of the American Civil War agrees that the United States' goals—an end to slavery, a start toward racial equality, the protection of peaceful transitions of power, and a union more capable than the sum **of its** parts—were worth the violence depicted on these pages. However, some historians are critical of this interpretation. Historian David Goldfield argued, "Until we recognize the tragedy of the war, the deaths, and the ambiguity of its results, a meaningful reconciliation cannot occur." Goldfield did acknowledge the good that came from the war but dismissed it as being "ambiguous and long-delayed."[7]

Furthermore, the realism of Reconstruction's failure to enforce the Civil War's political outcomes demands more familiarity with occupation studies in military history. U.S. armies won the war, preserved the union, and helped free the enslaved, but U.S. occupiers lost white southerners' hearts and minds in the process, setting the stage for a postwar battle over the meanings of freedom, democracy, and national identity that rages to this day. Images of the last chopper out of Saigon and the last cargo plane out of Kabul echo U.S. forces' withdrawal from southern states in the late 1870s. Momentarily taking our attention away from battlefields reminds us that the military, government, and citizenry must agree on a war's end goal for that goal to be successfully enforced after the war's formal conclusion.[8]

* * *

Antebellum Missouri embodied America's history of violence. Because of its location on the border of "Indian territory" and on the border between free and slave states, as well as its political role in slavery's westward expansion onto Indigenous lands (particularly with the Missouri Compromise of 1820 and the Kansas-Nebraska Act of 1854), Missouri acted like a black hole sucking in all of America's legacies of violence. When Congress legislated popular sovereignty in 1854—leaving it up to the people to decide whether slavery should continue expanding westward—violence reigned. Voter intimidation and election fraud began immediately in November 1854—started mostly by the victorious pro-slavery Missourians who moved into Kansas Territory, but also by antislavery midwesterners and New Englanders who did the same. In response, Kansas free-soilers established an extralegal state government.

Ensuing political killings led to standoffs between the two sides' vigilante militias. By 1860, a full-blown guerrilla war between antislavery Kansans ("jayhawkers") and proslavery Missourians ("border ruffians") raged on the border. In these ways, violence in antebellum Missouri embodied the war's causes—white Americans could no longer settle their differences concerning the spread of slavery over Indigenous lands without a fight.[9]

Once the conventional war broke out in 1861, occupation characterized much of Missouri's Civil War experience because of the quick exodus of conventional armies. Historian Michael Fellman noted that the Confederacy "was too weak to mount a sustained and organized military effort in the state after losing several battles in southern Missouri and northern Arkansas late in 1861 and in the spring of 1862." As such, the United States opted to maintain control of St. Louis and the state's key logistical infrastructure and then move manpower from Missouri to Tennessee and Mississippi, where Ulysses S. Grant slowly secured transportation routes through the South's western theater. Left in Missouri were: an inadequate number of U.S. infantrymen—most of whom were northerners who stereotyped Missourians as "dirt-wallowing, elemental brutes," and none of whom who were trained as an occupying force; U.S. cavalry, also not trained in counterinsurgency; white secessionist civilians who felt abandoned by the Confederacy and threatened by the Union; white Unionist civilians resentful of their secessionist neighbors and the often brutal Federal occupiers; 114,931 enslaved persons; and 3,572 free Blacks. In a state that had been fighting since 1854, this was a recipe for disaster. Just four months into the war, Major General John C. Frémont declared martial law throughout Missouri due to its "disorganized condition, helplessness of civil authority, and the total insecurity of life and devastation of property by bands of murderers and marauders who infest nearly every county in the State." As Michael Fellman described the situation for Missouri civilians, "the everyday translation of ideology became the question of which side would enable them best to survive."[10]

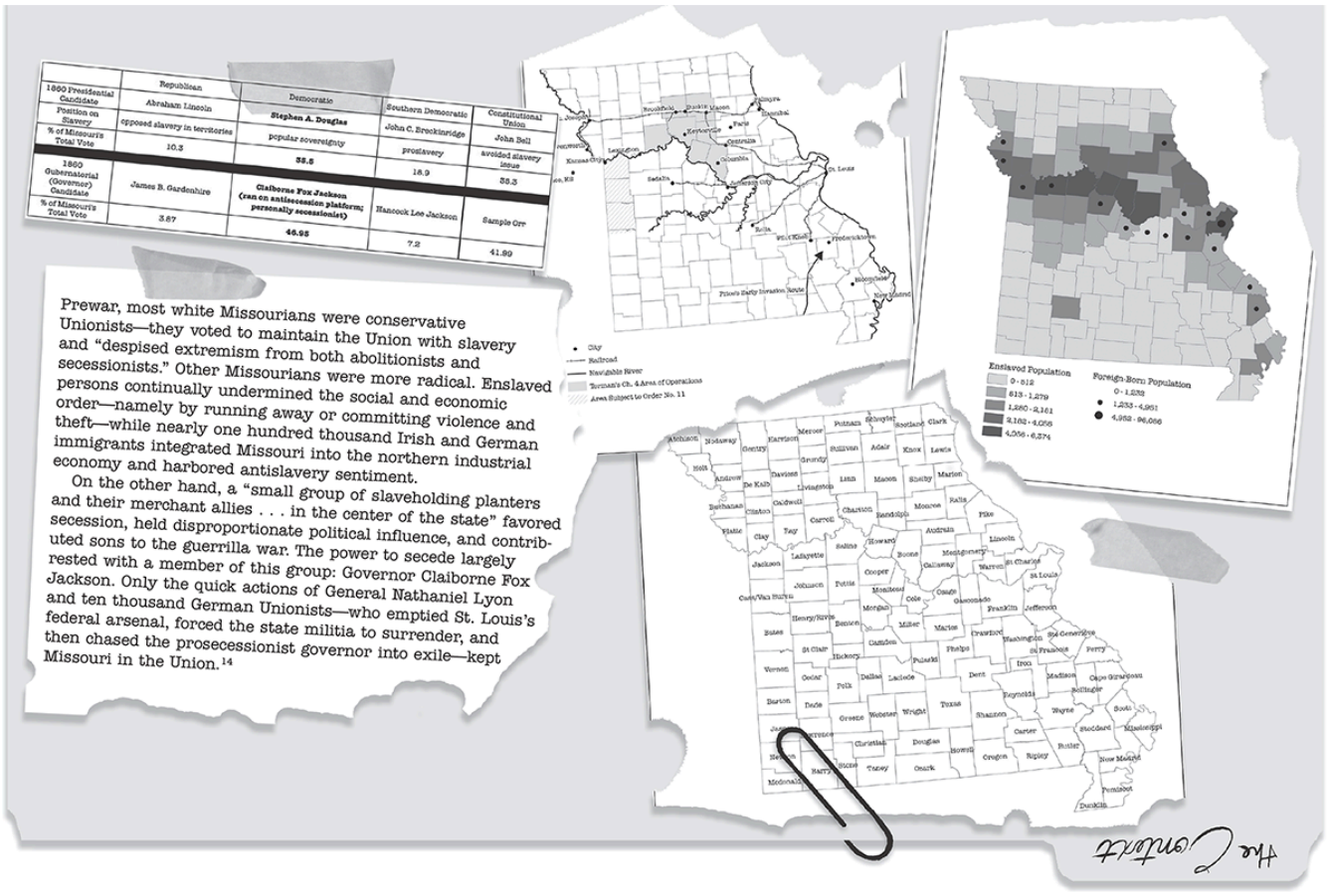
Like the Kansas-Missouri border, central Missouri—this book's setting—suffered from guerrilla warfare and the U. S. Army's occupational policies. Missouri's provost marshals—the arm of the military tasked with administering martial law—recorded hundreds of instances of guerrilla violence from the time they began keeping records to the events portrayed in chapter 1. The *Official Records of the War of the Rebellion* recorded over a thousand more. Federal occupational policies fought fire with fire. By December 1861, the U.S. Army declared that Missouri's guerrillas would "be immediately shot." The cavalry patrols that enforced this execution policy "regularly roamed the countryside on self-styled 'scouts' looking for disloyalists, saboteurs, and guerrillas"; these soldiers "performed professionally under the best of circumstances, but overzealously or even murderously under the worst." Policies for arresting and banishing disloyal civilians made no distinction based on gender. Indeed, "in excess of 2,000 [Missourians] were incarcerated at St. Louis's Gratiot Street prison alone from April 1862 to October 1863," at least 440 of whom were women.[11]

A series of exceptional events plunged central Missouri into chapter 1's carnage. On August 13, 1863, a "three-story brick structure" in Kansas City that served as a jail for guerrillas' families collapsed, fatally crushing four women and severely injuring eight others. Among the dead was Josephine Anderson, sister of the notorious "Bloody Bill" Anderson. Bill's other two sisters, Mary Ellen and Janie Anderson, survived, "the former crippled and disfigured for life, the latter with two broken legs, an injured back, and a lacerated face." Less than a week after the jail collapse, the U.S. commander in Kansas City, Brigadier General Thomas Ewing Jr., issued General Orders No. 10, which exiled "wives and children of known guerrillas, and also women who are heads of families and are willfully engaged in aiding guerrillas." Before U.S. troops mobilized to execute the order, guerrillas led by William Quantrill conducted perhaps

their most infamous act of the war: the Lawrence Massacre. Some 450 bushwhackers sacked the Kansas town, destroying 185 buildings, killing 150 male citizens (accounting for eighty widows and 250 orphans), and causing $2 million in property damage. In retaliation, General Ewing Jr. issued General Orders No. 11, which stated that all "persons living in Jackson, Cass, and Bates Counties . . . are hereby ordered to remove from their present places of residence within fifteen days." Kansas troops enacted the order, and "[a]pproximately 20,000 people were forced to evacuate their homes, almost all of which then were burned." Many of those refugees fled to central Missouri, carrying their ability to sustain guerrilla war with them.[12]

By 1864, household war wasn't the only measure the U.S. military took to quell guerrilla violence; provost marshals attempted to "out-guerrilla the guerrillas" by employing spies, scouts, and detectives to infiltrate guerrilla bands and head them off. One of those detectives operating in central Missouri, Jacob W. Terman (alias Harry Truman),* committed seven counts of murder, three counts of robbery, seven counts of larceny, and one count of arson just as guerrillas reciprocated Order No. 11 with increased brutality in the same part of the state. This book tells the stories of these white men—the guerrilla Anderson, hell-bent on killing Federal occupiers and Unionist civilians, and the detective Terman, equally hell-bent on killing guerrillas and eliminating guerrillas' suppliers—to illustrate the breaking point of laws of war.

In 1969, Kurt Vonnegut may have been right when telling his editor "there is nothing intelligent to say about a massacre." However, seeing a massacre in World War II inspired Vonnegut to write one of the greatest antiwar novels of all time. We show massacres here in the hope that they will unveil to the reader the bigger picture of war. Centralia, Dresden, Mỹ Lai, and Abu Ghraib deserve our attention as much as Gettysburg, Normandy, Saigon, and Baghdad if only to remind us that they happen alongside one another.[13]


1860 Presidential Candidate
Republican
Abraham Lincoln
Democratic
Stephen A. Douglas
Southern Democratic
John C. Breckinridge
Constitutional Union
John Bell
Position on Slavery
opposed slavery in territories
popular sovereignty
proslavery
avoided slavery issue
% of Missouri's Total Vote
10.3
35.5
18.9
35.3
1860 Gubernatorial (Governor) Candidate
James B. Gardenhire
Claiborne Fox Jackson (ran on antisecession platform; personally secessionist)
Hancock Lee Jackson
Sample Orr
% of Missouri's Total Vote
3.87
46.98
7.2
41.99
Prewar, most white Missourians were conservative Unionists—they voted to maintain the Union with slavery and "despised extremism from both abolitionists and secessionists." Other Missourians were more radical. Enslaved persons continually undermined the social and economic order—namely by running away or committing violence and theft—while nearly one hundred thousand Irish and German immigrants integrated Missouri into the northern industrial economy and harbored antislavery sentiment.
On the other hand, a "small group of slaveholding planters and their merchant allies . . . in the center of the state" favored secession, held disproportionate political influence, and contributed sons to the guerrilla war. The power to secede largely rested with a member of this group: Governor Claiborne Fox Jackson. Only the quick actions of General Nathaniel Lyon and ten thousand German Unionists—who emptied St. Louis's federal arsenal, forced the state militia to surrender, and then chased the prosecessionist governor into exile—kept Missouri in the Union.[14]
Enslaved Population
0 - 812
813 - 1,279
1,280 - 2,161
2,162 - 4,056
4,056 - 6,574
Foreign-Born Population
0 - 1,232
1,233 - 4,951
4,952 - 96,066

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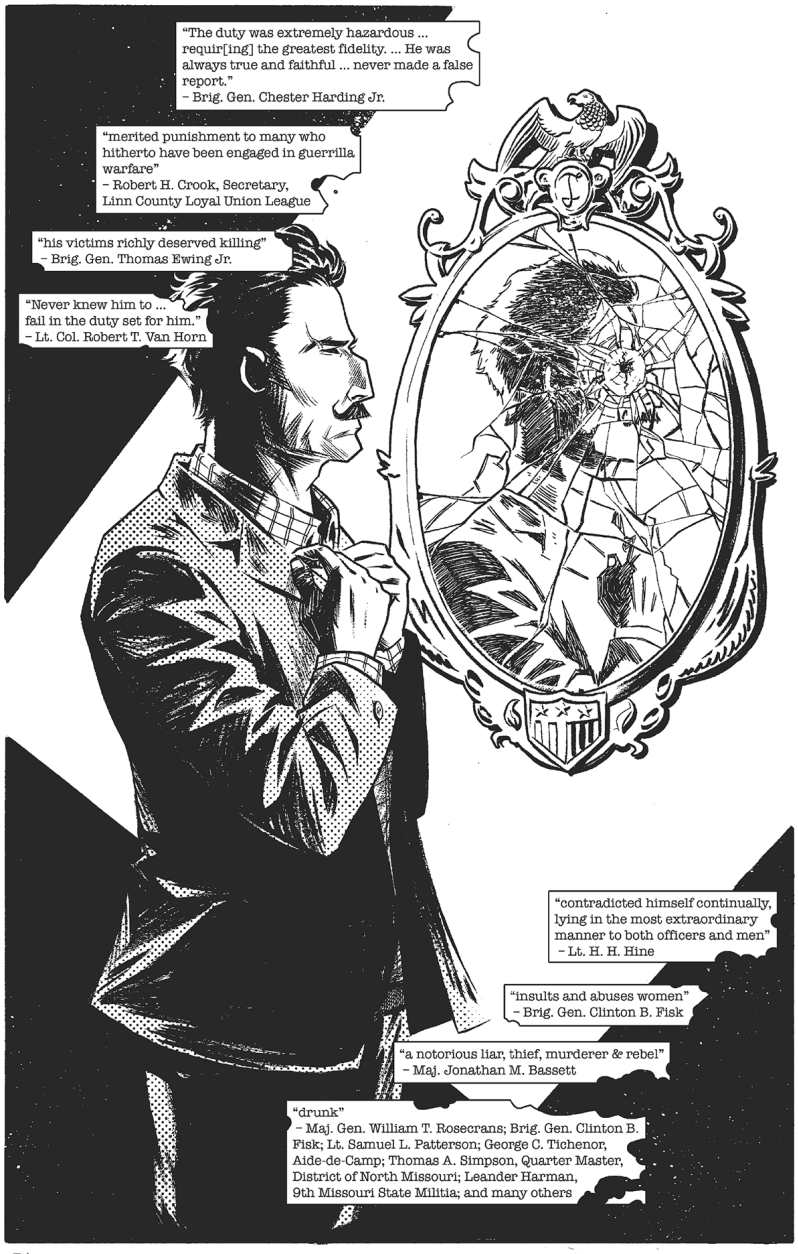
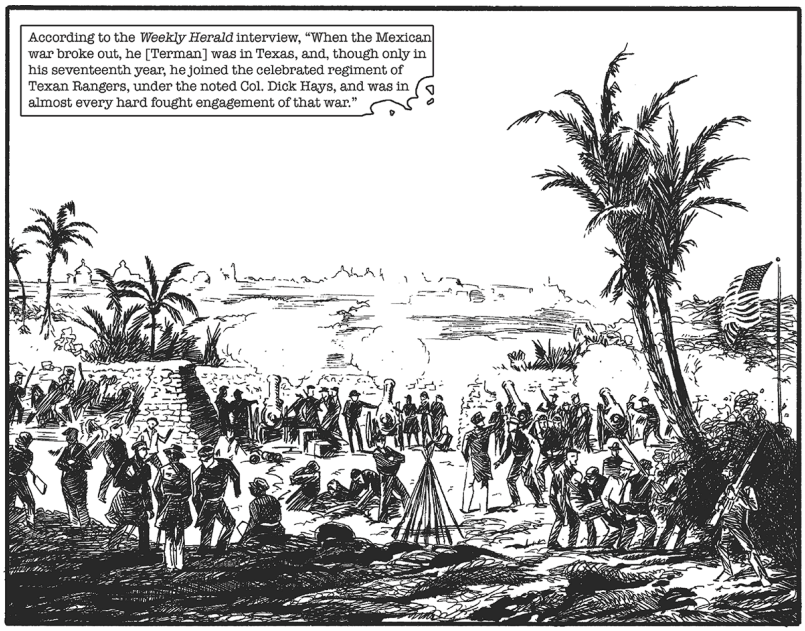
* We refer to Jacob W. Terman by his real name throughout the text. However, a majority of the primary sources use his alias—Harry Truman—which we left as is. Both "Terman" and "Truman" refer to the same person.

CHAPTER 3

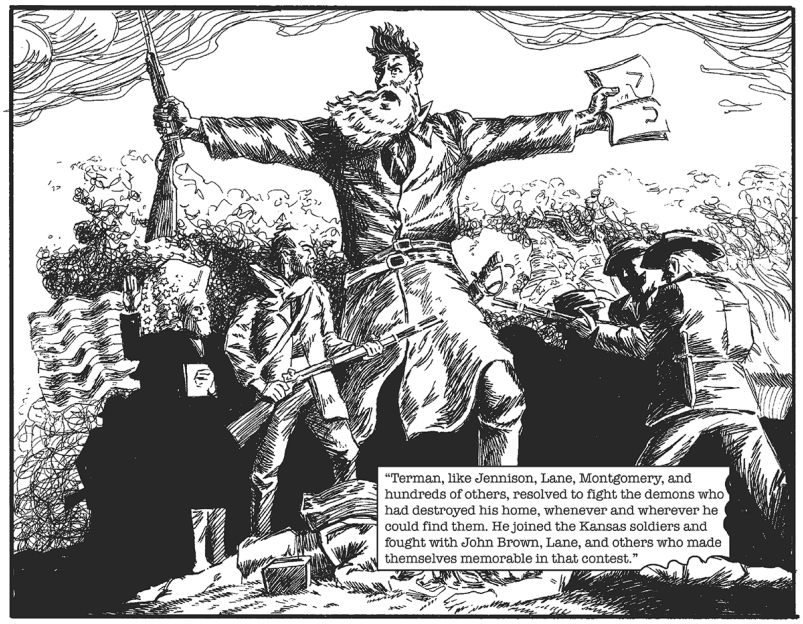
THE SPY

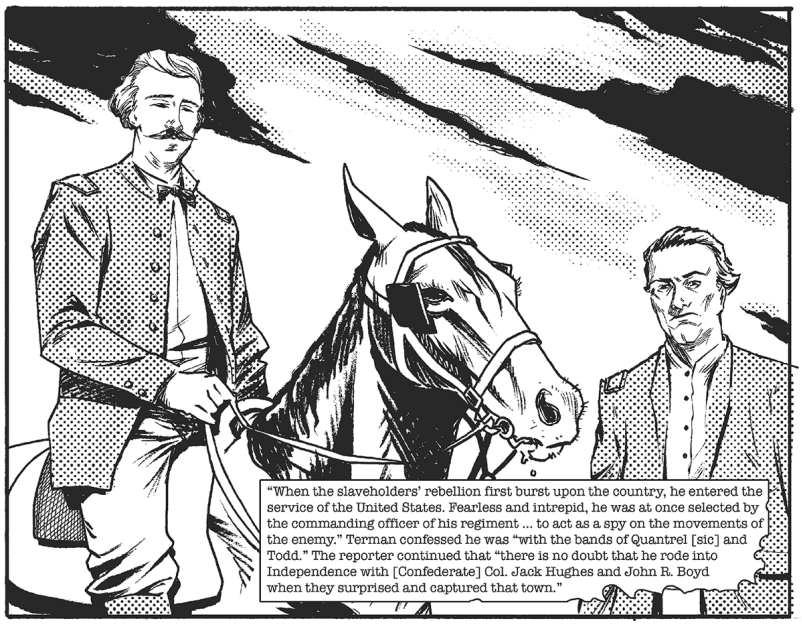

"The duty was extremely hazardous ... requir[ing] the greatest fidelity. ... He was always true and faithful ... never made a false report."
– Brig. Gen. Chester Harding Jr.
"merited punishment to many who hitherto have been engaged in guerrilla warfare"
– Robert H. Crook, Secretary, Linn County Loyal Union League
"his victims richly deserved killing"
– Brig. Gen. Thomas Ewing Jr.
"Never knew him to ... fail in the duty set for him."
– Lt. Col. Robert T. Van Horn
"contradicted himself continually, lying in the most extraordinary manner to both officers and men"
– Lt. H. H. Hine
"insults and abuses women"
– Brig. Gen. Clinton B. Fisk
"a notorious liar, thief, murderer & rebel"
– Maj. Jonathan M. Bassett
"drunk"
– Maj. Gen. William T. Rosecrans; Brig. Gen. Clinton B. Fisk; Lt. Samuel L. Patterson; George C. Tichenor, Aide-de-Camp; Thomas A. Simpson, Quarter Master, District of North Missouri; Leander Harman, 9th Missouri State Militia; and many others

As noted by Terman's only other academic biographer: "Much of the background on Terman prior to 1863 comes from his statements to a provost marshal following his arrest in the spring of 1863 and to a *St. Joseph Weekly Herald* reporter at the time of his trial in the summer of 1864. ...
THE ST. JOSEPH WEEKLY HERALD
CITY JAIL
... This background should, therefore, be accepted with some skepticism." Indeed, no primary evidence supports Terman's personal history depicted on the next two pages.


According to the *Weekly Herald* interview, "When the Mexican war broke out, he [Terman] was in Texas, and, though only in his seventeenth year, he joined the celebrated regiment of Texan Rangers, under the noted Col. Dick Hays, and was in almost every hard fought engagement of that war."

In 1854, "he removed to Kansas—He at once espoused the Free State side of her quarrel, and received the return ever accorded Free State men by the Border Ruffians of Missouri. His house, with all its contents, was laid in ashes, and he was hunted from brush to thicket like a wild beast by the hell hounds who invaded that young and struggling Territory."
Walter Russell


"Terman, like Jennison, Lane, Montgomery, and hundreds of others, resolved to fight the demons who had destroyed his home, whenever and wherever he could find them. He joined the Kansas soldiers and fought with John Brown, Lane, and others who made themselves memorable in that contest."


"When the slaveholders' rebellion first burst upon the country, he entered the service of the United States. Fearless and intrepid, he was at once selected by the commanding officer of his regiment ... to act as a spy on the movements of the enemy." Terman confessed he was "with the bands of Quantrel [sic] and Todd." The reporter continued that "there is no doubt that he rode into Independence with [Confederate] Col. Jack Hughes and John R. Boyd when they surprised and captured that town."

Reliable evidence of Jacob W. Terman's service as a scout, spy, and detective in the U.S. military begins in March 1863. From that time until June 1864, Terman operated in four different parts of Missouri and reported to four different officers and provost marshals. Despite the changes in geography and authority, Terman developed five patterns of behavior in fighting guerrilla war.

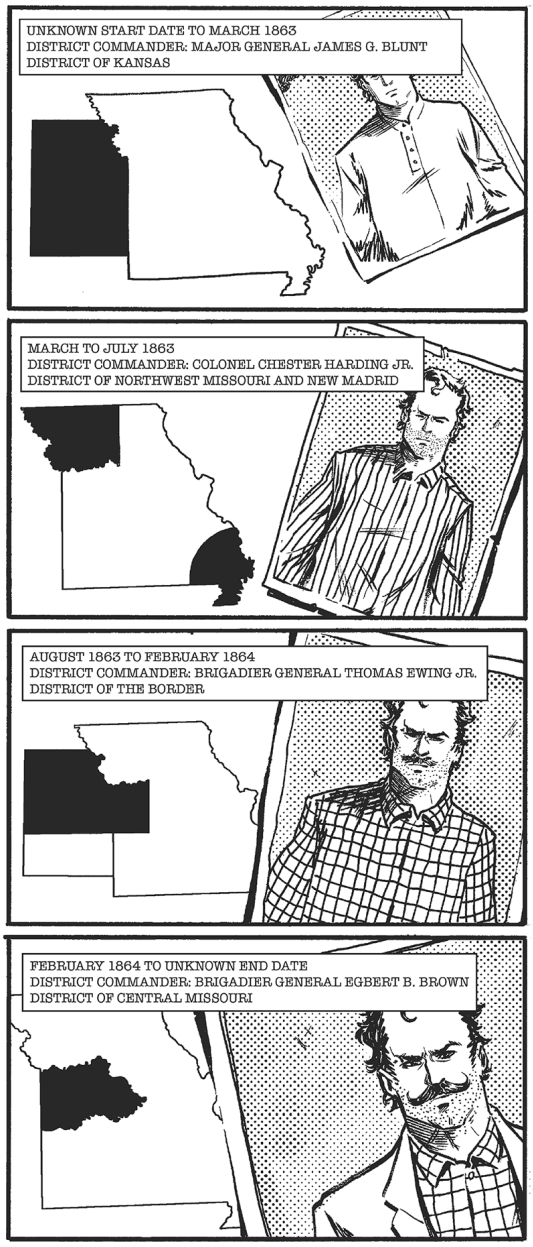
First, Terman operated as a spy by impersonating a guerrilla. He "gain[ed] access to their camps, [and] discover[ed] their plans, movements and purposes." One officer described the duty as "extremely hazardous. A party engaged in that duty is liable to be detected by the enemy in which case he is liable to be shot and he is necessarily liable to suspicions against him on the part of the officers and troops whith [sic] whom he is really acting."

Second, Terman provided intelligence to his handlers in the district commander's office—usually a provost marshal, or the commander himself. When called upon, he coordinated with the army to act on such intelligence by "accompany[ing] expeditions ... to dispose, capture or kill the offenders."

Third, unknowing U.S. officers arrested Terman in the line of duty. Terman maintained his disguise in Missouri's prisons, as they were overcrowded with guerrillas and guerrillas' supporters.

Fourth, Terman found ways to contact his handlers and secure his release. The U.S. military shifted Terman to spy in other locations after each arrest.

Last, Terman's methods generated controversy within the military. Because the army permitted officers in command of troops fighting guerrillas to exercise their own discretion, the guerrilla war created a legal gray area susceptible to devolving violence. Until June 1864, the U.S. Army kept Terman in check by never giving him power over other soldiers.


UNKNOWN START DATE TO MARCH 1863
DISTRICT COMMANDER: MAJOR GENERAL JAMES G. BLUNT
DISTRICT OF KANSAS
MARCH TO JULY 1863
DISTRICT COMMANDER: COLONEL CHESTER HARDING JR.
DISTRICT OF NORTHWEST MISSOURI AND NEW MADRID
AUGUST 1863 TO FEBRUARY 1864
DISTRICT COMMANDER: BRIGADIER GENERAL THOMAS EWING JR.
DISTRICT OF THE BORDER
FEBRUARY 1864 TO UNKNOWN END DATE
DISTRICT COMMANDER: BRIGADIER GENERAL EGBERT B. BROWN
DISTRICT OF CENTRAL MISSOURI

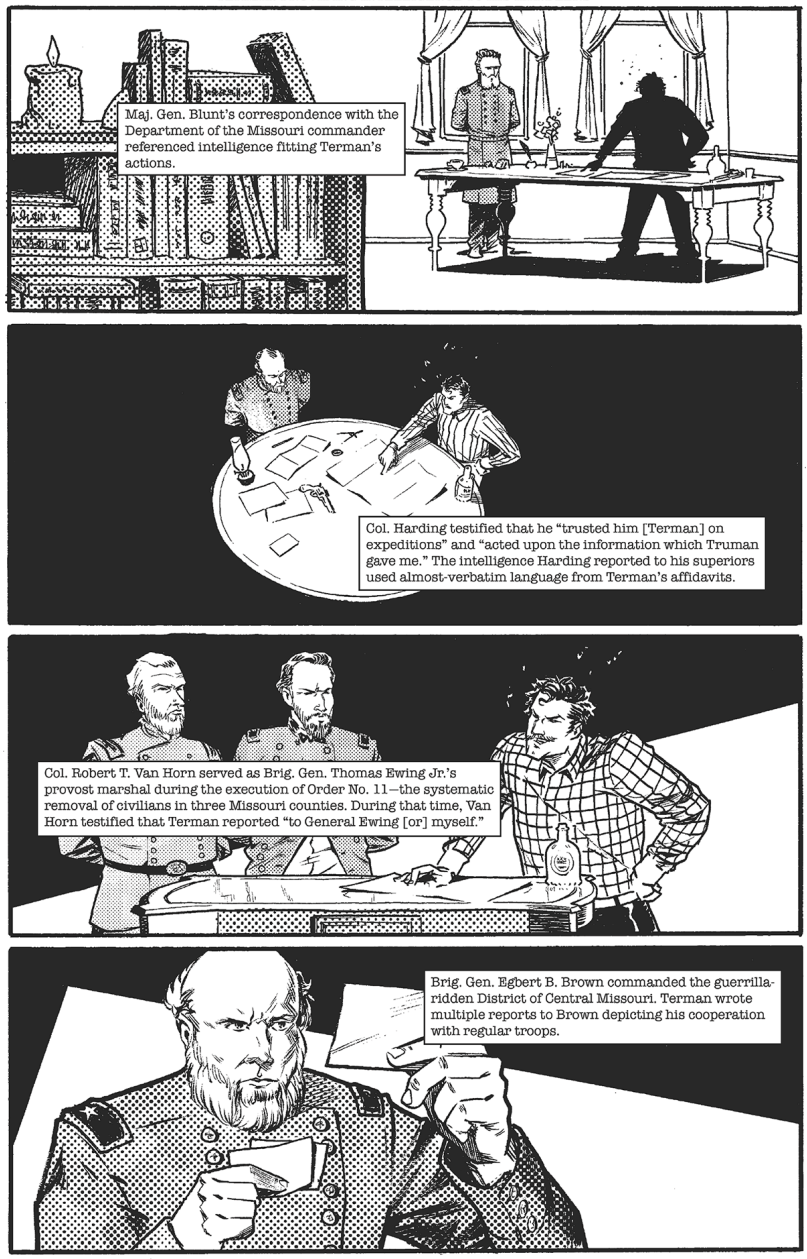
TERMAN'S INSERTION IN THE FIELD

TERMAN IMPERSONATING GUERRILLAS TO ACT AS SPY

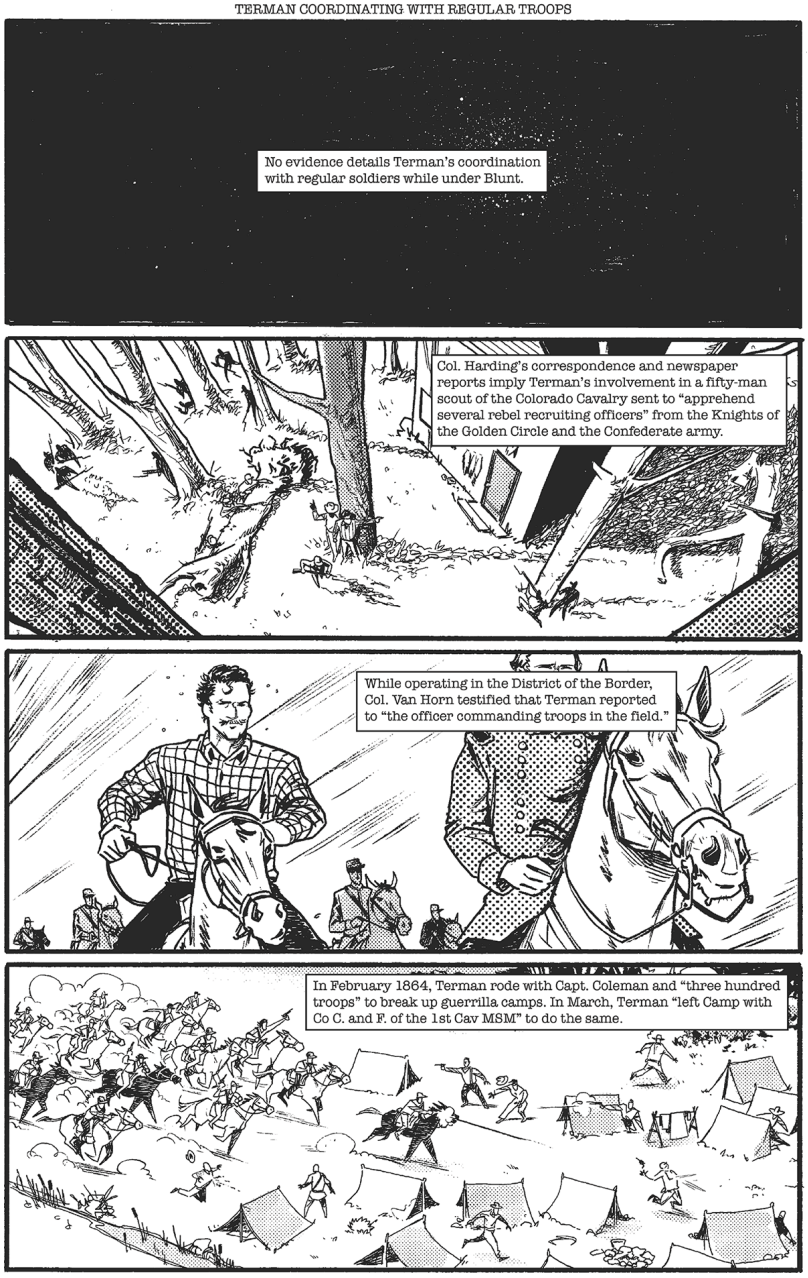
Considerable circumstantial evidence indicates Terman infiltrated George Todd's band and the secret secessionist organization known as the Knights of the Golden Circle.
Terman's spying around New Madrid is confirmed, but his claim of infiltrating M. Jeff Thompson's camp—the infamous "Swamp Fox" of the Confederacy—is not.
A lengthy paper trail documents Terman spying in the District of the Border.
Terman claimed knowledge of "the intention of Quantrill" while employed in the Central District of Missouri. His employment is confirmed; his association with Quantrill is not.

THE "HAZARDOUS DUTY" OF AVOIDING GUERRILLAS' DETECTION

TERMAN PROVIDING INTELLIGENCE TO HIS HANDLERS


Maj. Gen. Blunt's correspondence with the Department of the Missouri commander referenced intelligence fitting Terman's actions.
Col. Harding testified that he "trusted him [Terman] on expeditions" and "acted upon the information which Truman gave me." The intelligence Harding reported to his superiors used almost-verbatim language from Terman's affidavits.
Col. Robert T. Van Horn served as Brig. Gen. Thomas Ewing Jr.'s provost marshal during the execution of Order No. 11—the systematic removal of civilians in three Missouri counties. During that time, Van Horn testified that Terman reported "to General Ewing [or] myself."
Brig. Gen. Egbert B. Brown commanded the guerrilla-ridden District of Central Missouri. Terman wrote multiple reports to Brown depicting his cooperation with regular troops.

TERMAN COORDINATING WITH REGULAR TROOPS

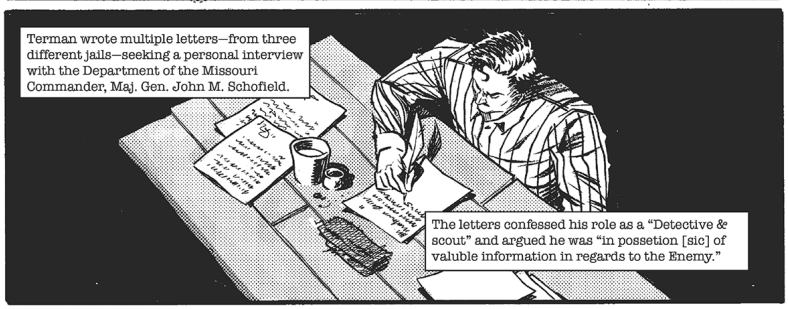

No evidence details Terman's coordination with regular soldiers while under Blunt.
Col. Harding's correspondence and newspaper reports imply Terman's involvement in a fifty-man scout of the Colorado Cavalry sent to "apprehend several rebel recruiting officers" from the Knights of the Golden Circle and the Confederate army.
While operating in the District of the Border, Col. Van Horn testified that Terman reported to "the officer commanding troops in the field."
In February 1864, Terman rode with Capt. Coleman and "three hundred troops" to break up guerrilla camps. In March, Terman "left Camp with Co C. and F. of the 1st Cav MSM" to do the same.

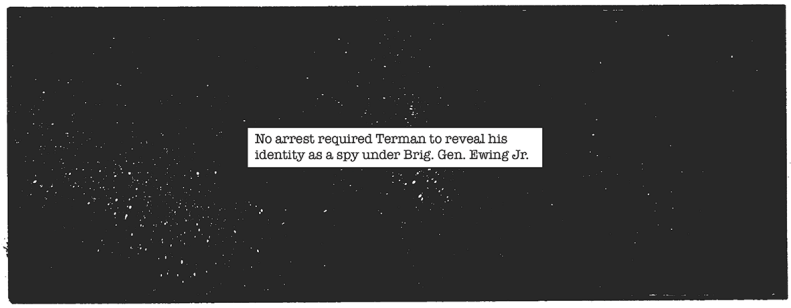
TERMAN ARRESTED AS A GUERRILLA

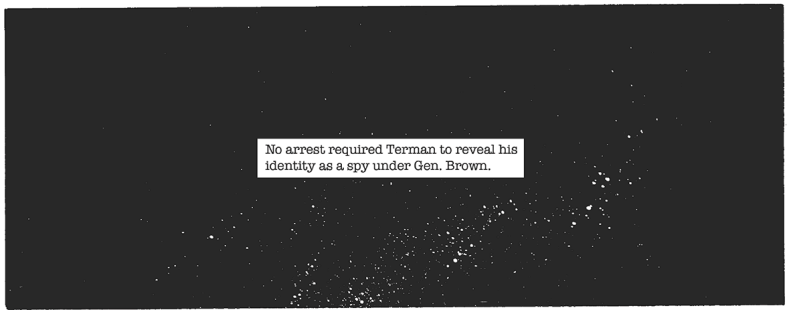
Provost Marshal Bassett reported that he "had this man Terman arrested in Lawrence."
Multiple newspapers reported that Terman was arrested "for stealing in Johnson county, where an indictment now stands against him."
Brig. Gen. John W. Davidson arrested Terman in Bloomfield, Missouri.
Terman was never arrested while serving under Brig. Gen. Ewing Jr.
Terman was never arrested while serving under Gen. Brown.

TERMAN REVEALS HIS IDENTITY AS A SPY

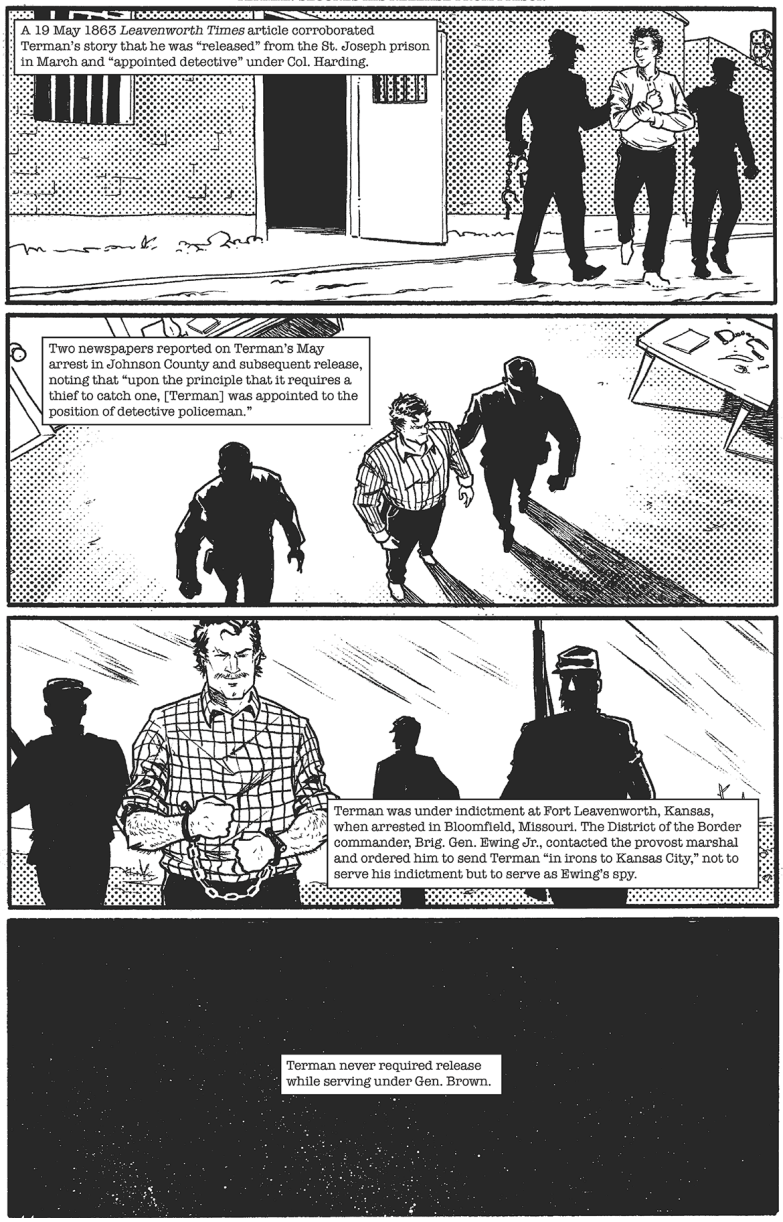
Terman gave a sworn deposition to Provost Marshal Bassett claiming to know the strategies of Confederate general Sterling Price and guerrilla leaders William Quantrill and George Todd.
I.W.T.


Terman wrote multiple letters—from three different jails—seeking a personal interview with the Department of the Missouri Commander, Maj. Gen. John M. Schofield.
The letters confessed his role as a "Detective & scout" and argued he was "in possetion [sic] of valuble information in regards to the Enemy."

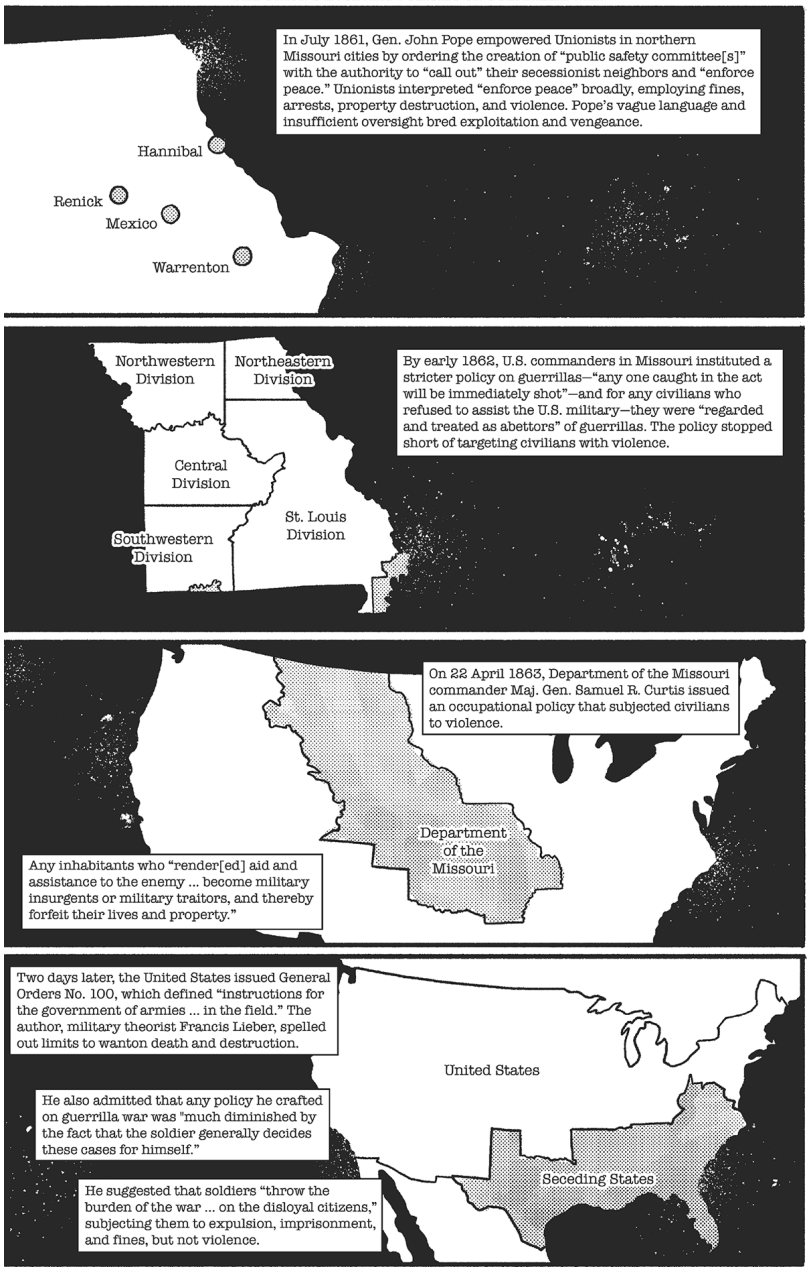




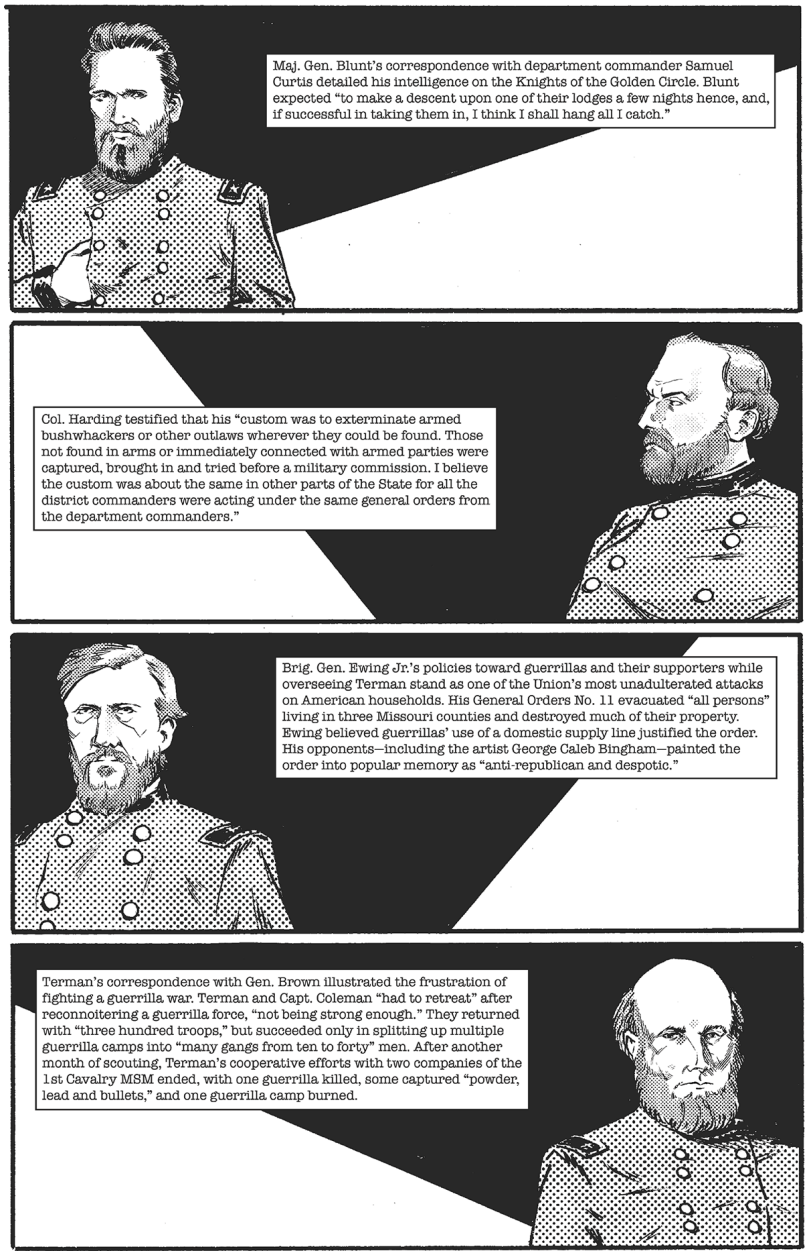
TERMAN SECURES HIS RELEASE FROM PRISON

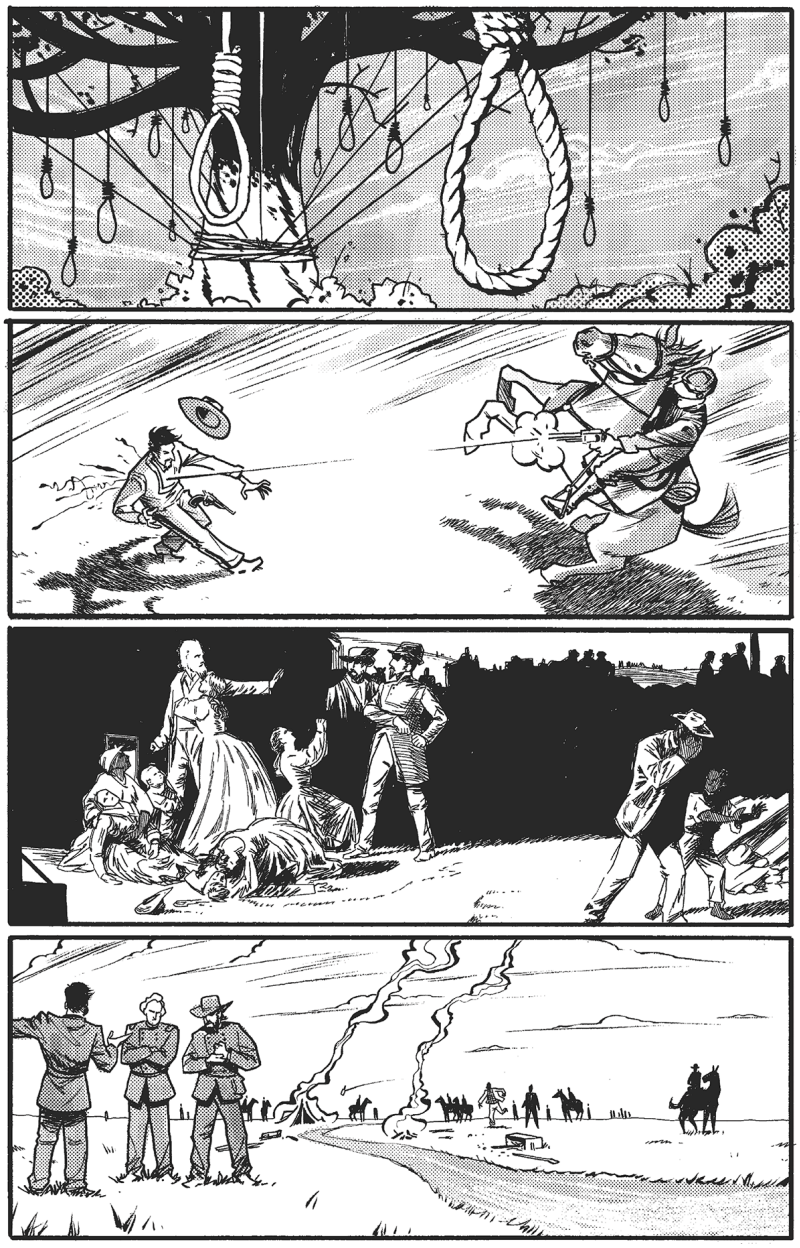

A 19 May 1863 *Leavenworth Times* article corroborated Terman's story that he was "released" from the St. Joseph prison in March and "appointed detective" under Col. Harding.
Two newspapers reported on Terman's May arrest in Johnson County and subsequent release, noting that "upon the principle that it requires a thief to catch one, [Terman] was appointed to the position of detective policeman."
Terman was under indictment at Fort Leavenworth, Kansas, when arrested in Bloomfield, Missouri. The District of the Border commander, Brig. Gen. Ewing Jr., contacted the provost marshal and ordered him to send Terman "in irons to Kansas City," not to serve his indictment but to serve as Ewing's spy.
Terman never required release while serving under Gen. Brown.

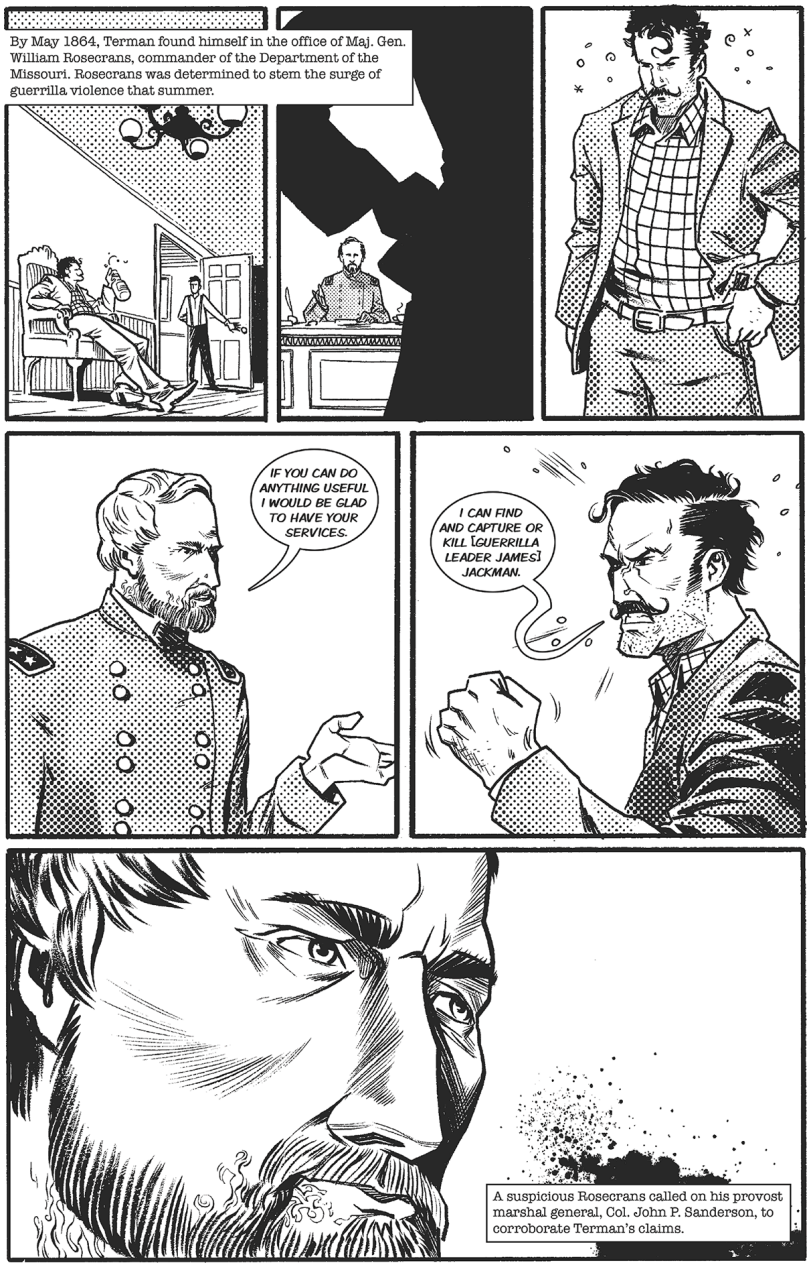
THE UNION'S EVOLVING POLICIES ON GUERRILLA WAR

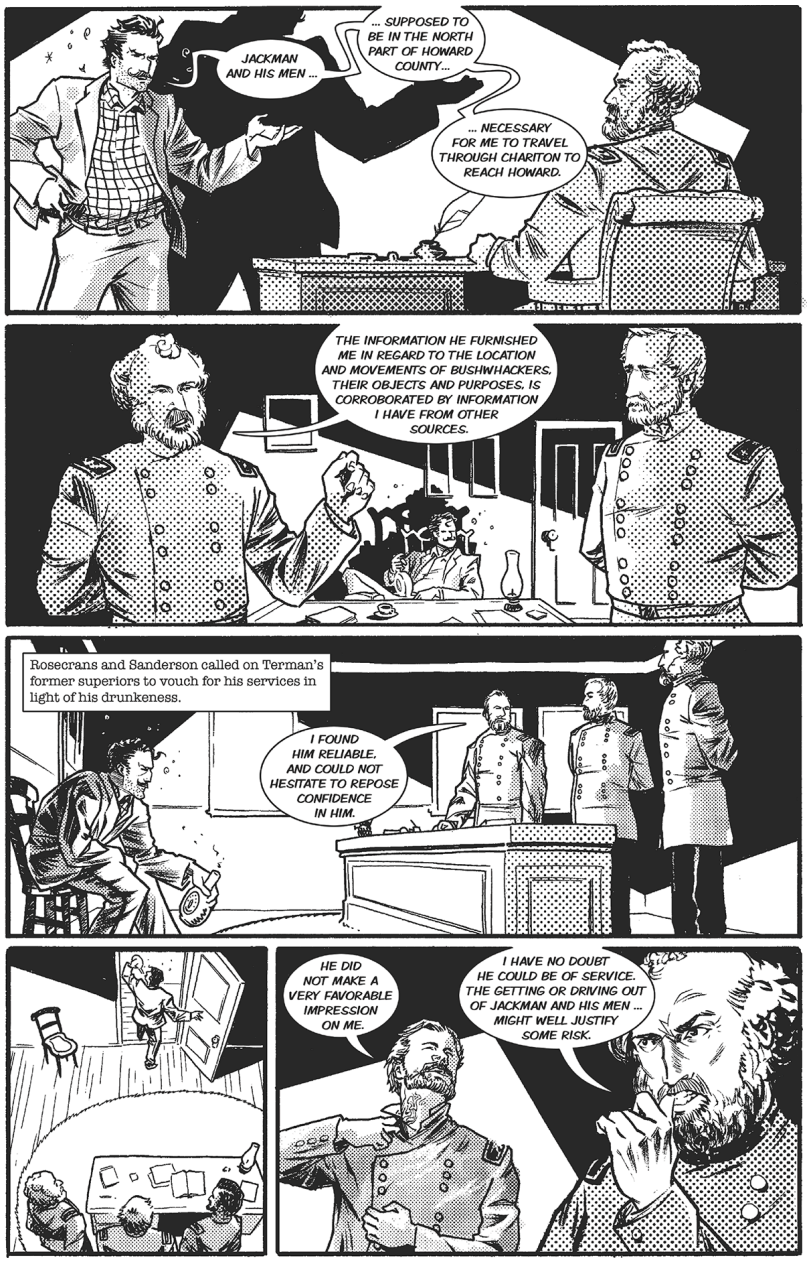

In July 1861, Gen. John Pope empowered Unionists in northern Missouri cities by ordering the creation of "public safety committee[s]" with the authority to "call out" their secessionist neighbors and "enforce peace." Unionists interpreted "enforce peace" broadly, employing fines, arrests, property destruction, and violence. Pope's vague language and insufficient oversight bred exploitation and vengeance.
Hannibal
Renick
Mexico
Warrenton
Northwestern Division
Northeastern Division
Central Division
St. Louis Division
Southwestern Division
By early 1862, U.S. commanders in Missouri instituted a stricter policy on guerrillas—"any one caught in the act will be immediately shot"—and for any civilians who refused to assist the U.S. military—they were "regarded and treated as abettors" of guerrillas. The policy stopped short of targeting civilians with violence.
On 22 April 1863, Department of the Missouri commander Maj. Gen. Samuel R. Curtis issued an occupational policy that subjected civilians to violence.
Department of the Missouri
Any inhabitants who "render[ed] aid and assistance to the enemy ... become military insurgents or military traitors, and thereby forfeit their lives and property."
Two days later, the United States issued General Orders No. 100, which defined "instructions for the government of armies ... in the field." The author, military theorist Francis Lieber, spelled out limits to wanton death and destruction.
United States
He also admitted that any policy he crafted on guerrilla war was "much diminished by the fact that the soldier generally decides these cases for himself."
Seceding States
He suggested that soldiers "throw the burden of the war ... on the disloyal citizens," subjecting them to expulsion, imprisonment, and fines, but not violence.

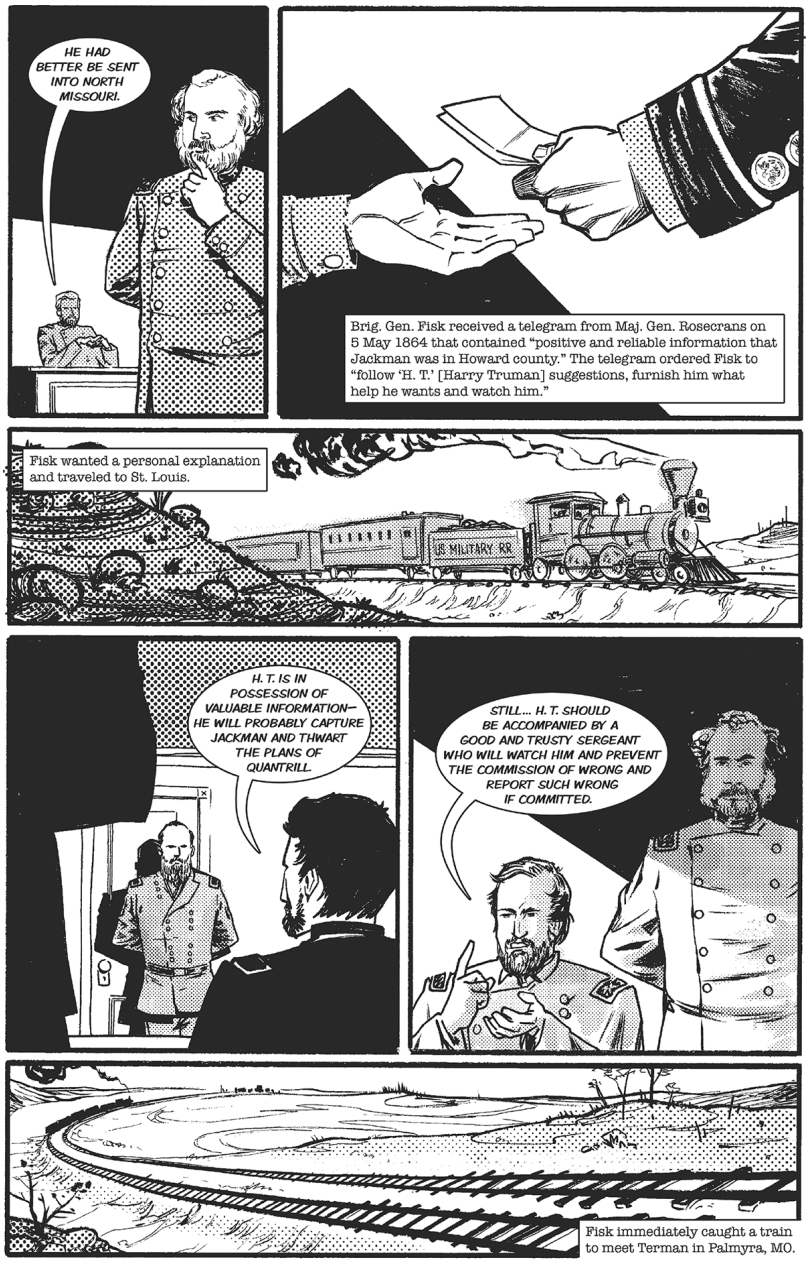
TERMAN'S SUPERIORS' POLICIES ON GUERRILLA WAR


Maj. Gen. Blunt's correspondence with department commander Samuel Curtis detailed his intelligence on the Knights of the Golden Circle. Blunt expected "to make a descent upon one of their lodges a few nights hence, and, if successful in taking them in, I think I shall hang all I catch."
Col. Harding testified that his "custom was to exterminate armed bushwhackers or other outlaws wherever they could be found. Those not found in arms or immediately connected with armed parties were captured, brought in and tried before a military commission. I believe the custom was about the same in other parts of the State for all the district commanders were acting under the same general orders from the department commanders."
Brig. Gen. Ewing Jr.'s policies toward guerrillas and their supporters while overseeing Terman stand as one of the Union's most unadulterated attacks on American households. His General Orders No. 11 evacuated "all persons" living in three Missouri counties and destroyed much of their property. Ewing believed guerrillas' use of a domestic supply line justified the order. His opponents—including the artist George Caleb Bingham—painted the order into popular memory as "anti-republican and despotic."
Terman's correspondence with Gen. Brown illustrated the frustration of fighting a guerrilla war. Terman and Capt. Coleman "had to retreat" after reconnoitering a guerrilla force, "not being strong enough." They returned with "three hundred troops," but succeeded only in splitting up multiple guerrilla camps into "many gangs from ten to forty" men. After another month of scouting, Terman's cooperative efforts with two companies of the 1st Cavalry MSM ended, with one guerrilla killed, some captured "powder, lead and bullets," and one guerrilla camp burned.



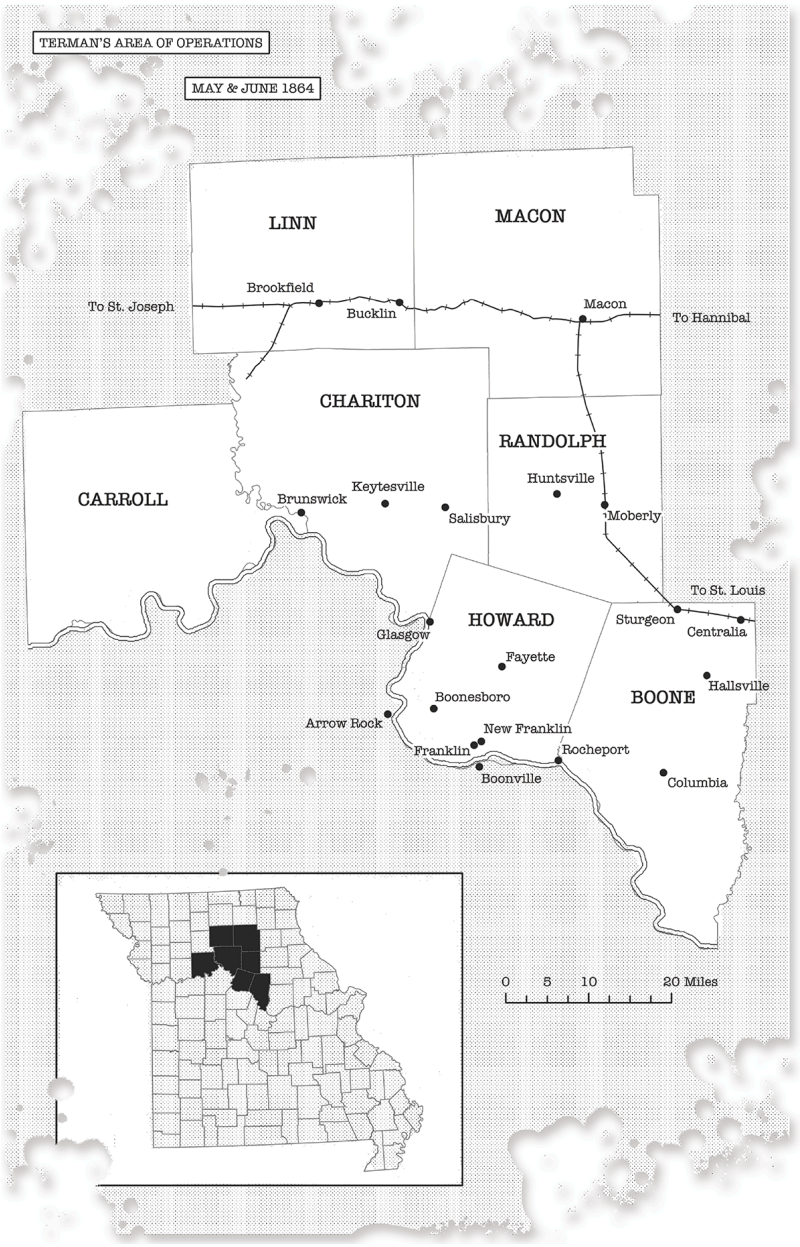

By May 1864, Terman found himself in the office of Maj. Gen. William Rosecrans, commander of the Department of the Missouri. Rosecrans was determined to stem the surge of guerrilla violence that summer.
IF YOU CAN DO ANYTHING USEFUL I WOULD BE GLAD TO HAVE YOUR SERVICES.
I CAN FIND AND CAPTURE OR KILL [GUERRILLA LEADER JAMES] JACKMAN.
A suspicious Rosecrans called on his provost marshal general, Col. John P. Sanderson, to corroborate Terman's claims.


JACKMAN AND HIS MEN ...
... SUPPOSED TO BE IN THE NORTH PART OF HOWARD COUNTY...
... NECESSARY FOR ME TO TRAVEL THROUGH CHARITON TO REACH HOWARD.
THE INFORMATION HE FURNISHED ME IN REGARD TO THE LOCATION AND MOVEMENTS OF BUSHWHACKERS. THEIR OBJECTS AND PURPOSES, IS CORROBORATED BY INFORMATION I HAVE FROM OTHER SOURCES.
Rosecrans and Sanderson called on Terman's former superiors to vouch for his services in light of his drunkeness.
I FOUND HIM RELIABLE, AND COULD NOT HESITATE TO REPOSE CONFIDENCE IN HIM.
HE DID NOT MAKE A VERY FAVORABLE IMPRESSION ON ME.
I HAVE NO DOUBT HE COULD BE OF SERVICE. THE GETTING OR DRIVING OUT OF JACKMAN AND HIS MEN ... MIGHT WELL JUSTIFY SOME RISK.


HE HAD BETTER BE SENT INTO NORTH MISSOURI.
Brig. Gen. Fisk received a telegram from Maj. Gen. Rosecrans on 5 May 1864 that contained "positive and reliable information that Jackman was in Howard county." The telegram ordered Fisk to "follow 'H. T.' [Harry Truman] suggestions, furnish him what help he wants and watch him."
Fisk wanted a personal explanation and traveled to St. Louis.
US MILITARY RR
H. T. IS IN POSSESSION OF VALUABLE INFORMATION— HE WILL PROBABLY CAPTURE JACKMAN AND THWART THE PLANS OF QUANTRILL.
STILL... H. T. SHOULD BE ACCOMPANIED BY A GOOD AND TRUSTY SERGEANT WHO WILL WATCH HIM AND PREVENT THE COMMISSION OF WRONG AND REPORT SUCH WRONG IF COMMITTED.
Fisk immediately caught a train to meet Terman in Palmyra, MO.

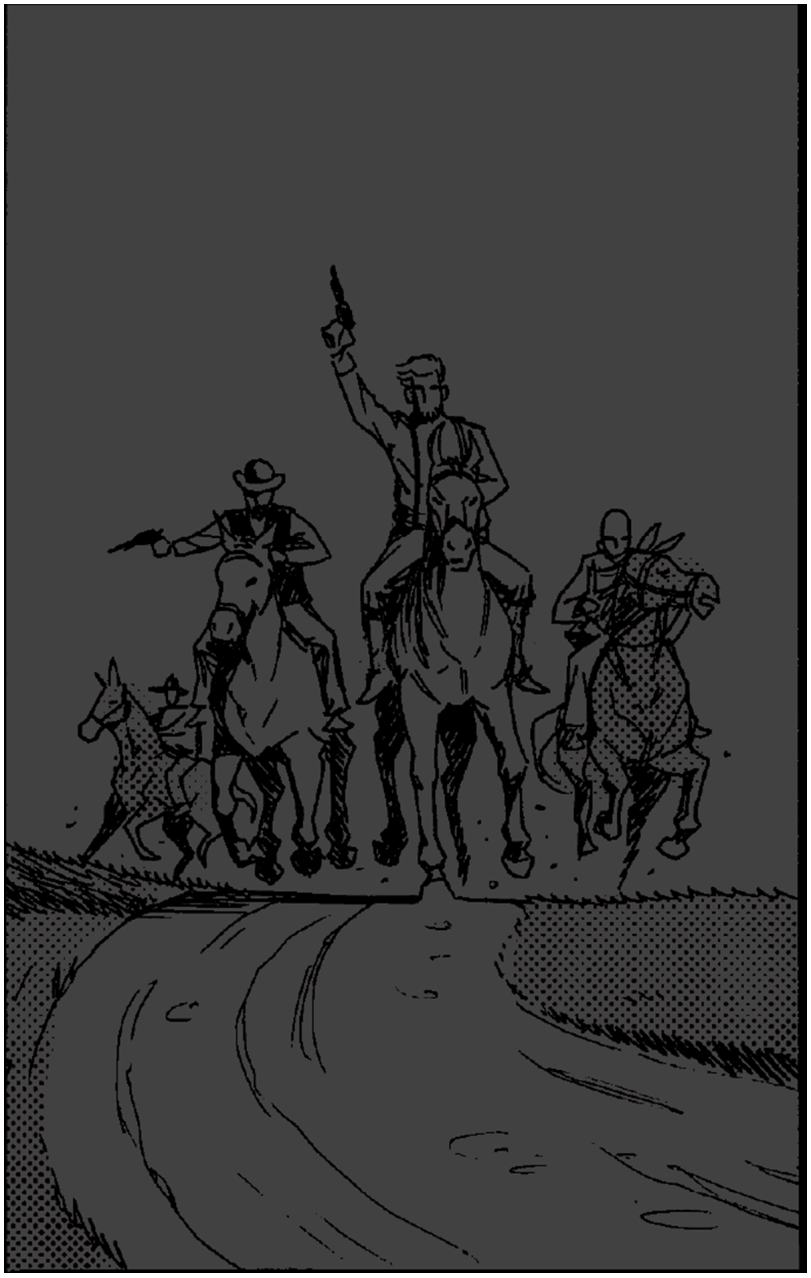
I'VE BEEN EMPLOYED BY THE PROVOST MARSHAL GENERAL TO COME TO YOUR DISTRICT AND CAPTURE JACKMAN AND ACT AS A DETECTIVE SCOUT.
I RECEIVED ORDERS FROM GENL. ROSECRANS AND COL. SANDERSON THAT TWO SQUADRONS OF THE 9TH IOWA CAVALRY ARE HERE TO AID ME.
I ALSO WANT HORSES FOR MYSELF AND AN ASSOCIATE ... HARTMEN
AND SEVERAL NAVY REVOLVERS.
YOU SHOULD GO TO HANNIBAL WITH ME THIS EVENING WHERE YOU COULD MEET THE PROVOST MARSHAL OF MY DISTRICT. MAJOR JAMES DWIGHT.
I DESIRE TO BE CONSIDERED AND IN FACT AM INDEPENDENT OF ANY ORDERS EXCEPT FROM DEPARTMENT HEADQUARTERS OF THE PROVOST MARSHAL GENERAL.
Despite the face-off over authority, Terman followed Fisk to Hannibal to meet Maj. Dwight. Fisk wanted his own man to corroborate Terman's intelligence, which Dwight did. Still not trusting Terman, Fisk suggested a different cavalry squad to assist him—one in which he could handpick a reliable sergeant to keep an eye on Terman.
INSTEAD OF USING THE 9TH IOWA CAVALRY ... YOU HAD BETTER GO TO MACON AND PROCURE FROM LT. COL. DRAPER A DETACHMENT OF THE 9TH CAVALRY MISSOURI STATE MILITIA AS THEY ARE WELL ACQUAINTED WITH THE COUNTRY THROUGH WHICH YOU ARE TO OPERATE.
... I CONCUR.

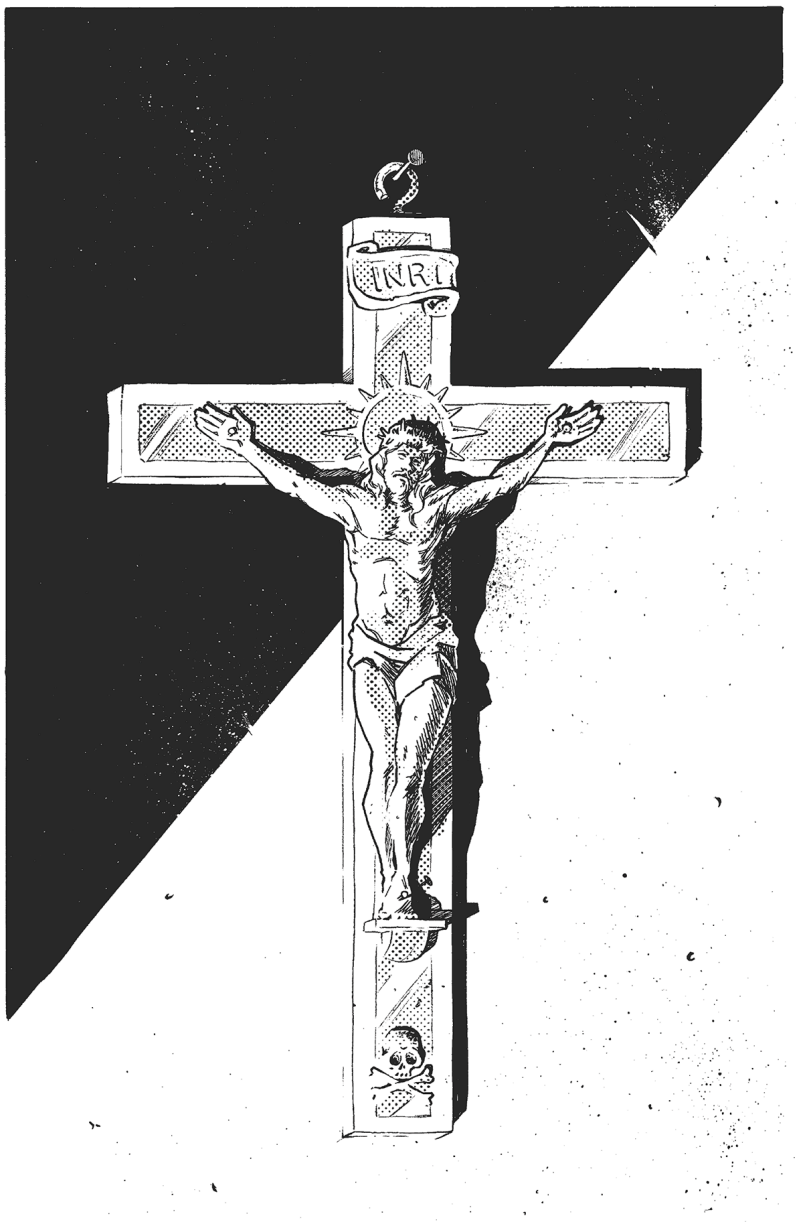
In May 1864, Terman again went into the field to catch or kill guerrillas and entrap their civilian supporters. Only this time, he had authority from the Department of the Missouri commander and a squad of twenty seasoned and disguised cavalry troops at his disposal.


TERMAN'S AREA OF OPERATIONS
MAY & JUNE 1864
LINN
MACON
Brookfield
To St. Joseph
Bucklin
Macon
To Hannibal
CHARITON
RANDOLPH
CARROLL
Keytesville
Huntsville
Brunswick
Salisbury
Moberly
To St. Louis
HOWARD
Sturgeon
Glasgow
Centralia
Fayette
Hallsville
Boonesboro
BOONE
Arrow Rock
New Franklin
Franklin
Rocheport
Boonville
Columbia
0 5 10 20 Miles

CHAPTER 4

THE REIGN OF TERROR




INRI

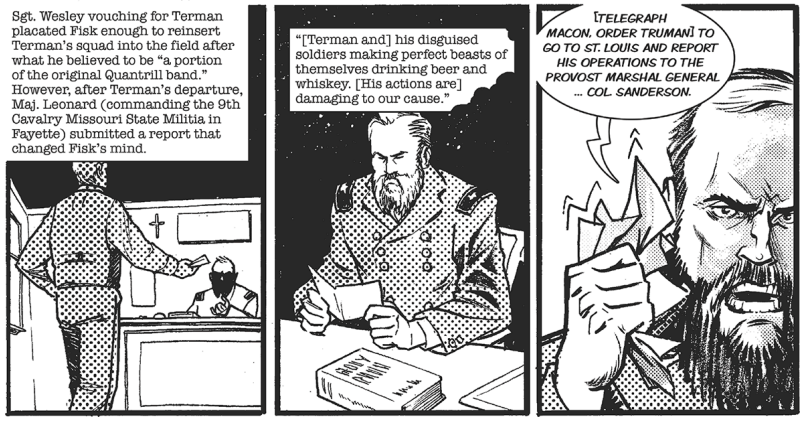
ST. JOSEPH, MISSOURI
HEADQUARTERS – DISTRICT OF NORTH MISSOURI
BRIGADIER GENERAL CLINTON B. FISK
END OF MAY 1864
Swear Not at All
"The negroes crowding into Macon must go to work on the farms where their labor is so much needed. ...
We must not return them to masters nor encourage them to leave their homes, but we must insist upon industry, sobriety, and virtue; let them understand that work they must."
And concerning the bushwhackers in Lincoln County ...
HOLY BIBLE
"[let our militia] go to work at once on a mission of extermination of thieves and guerrillas. ...
6. YOU SHALL NOT MURDER.
Take no prisoners. Kill the villains wherever caught in their hellish practices."
[SIR. HERE'S A TELEGRAM FROM THE...
[sigh]
... DETECTIVE IN MACON]
"I have made $280,000 for the government...

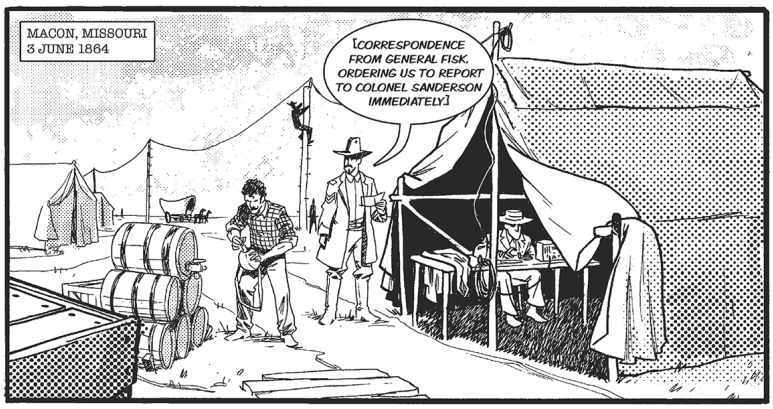
... $80,000 of this requiring immediate attention."
– H. Truman
Red Fox Whiskey 1825
Red Fox Whiskey 1825
Red Fox Whiskey 1825

I CHARGED COL. DRAPER PARTICULARLY THAT THE SERGEANT SENT WITH THE MEN MUST KEEP A STRICT WATCH UPON [TRUMAN'S] MOVEMENTS.
[GET TRUMAN] TO ST. JOSEPH AT ONCE ...
... AND BRING SGT. WESLEY WITH HIM.

A DETAILED REPORT IN WRITING OF [MY] LATE CAMPAIGN THROUGH THE COUNTIES OF HOWARD, BOONE, RANDOLPH, AND CHARITON.
1 JUNE 1864
[TRUMAN'S] CONDUCT HA[S] BEEN PROPER IN EVERY PARTICULAR ...
... [I] BELIEVE HIM TO BE A FIRST-RATE MAN AND...
... A GOOD DISCIPLINARIAN.
[IN THAT CASE,] SERIOUS TROUBLE HA[S] BROKEN OUT ON THE SOUTHERN LINE OF BUCHANAN COUNTY. ...
... RETURN TO MACON BY THE NEXT TRAIN. GET [YOUR] MEN AND COME HERE FORTHWITH.

Sgt. Wesley vouching for Terman placated Fisk enough to reinsert Terman's squad into the field after what he believed to be "a portion of the original Quantrill band." However, after Terman's departure, Maj. Leonard (commanding the 9th Cavalry Missouri State Militia in Fayette) submitted a report that changed Fisk's mind.


"[Terman and] his disguised soldiers making perfect beasts of themselves drinking beer and whiskey. [His actions are] damaging to our cause."
[TELEGRAPH MACON, ORDER TRUMAN] TO GO TO ST. LOUIS AND REPORT HIS OPERATIONS TO THE PROVOST MARSHAL GENERAL ... COL. SANDERSON.



[TWO TELEGRAPHS. ONE TO COLONEL SANDERSON AND THE OTHER TO MAJOR GENERAL ROSECRANS.]
TO SANDERSON: AM WANTED IN THE FIELD AND WILL MOVE BEFORE I COME TO YOU.
TO ROSECRANS: I AM READY TO MOVE. SHALL I OR NOT? IT IS A MILITARY NECESSITY.

SAINT LOUIS, MO., *June* 3, 1864.

H. TRUMAN,
Macon, Mo.:

Second dispatch received. Very well; go ahead.

J. P. SANDERSON.

SAINT LOUIS, MO., *June* 3, 1864.

H. TRUMAN, *Macon, Mo.:*

Second dispatch received. Very well. Go ahead. The views contained in your dispatch to Colonel Sanderson are mine also.

W. S. ROSECRANS,
Major-General.

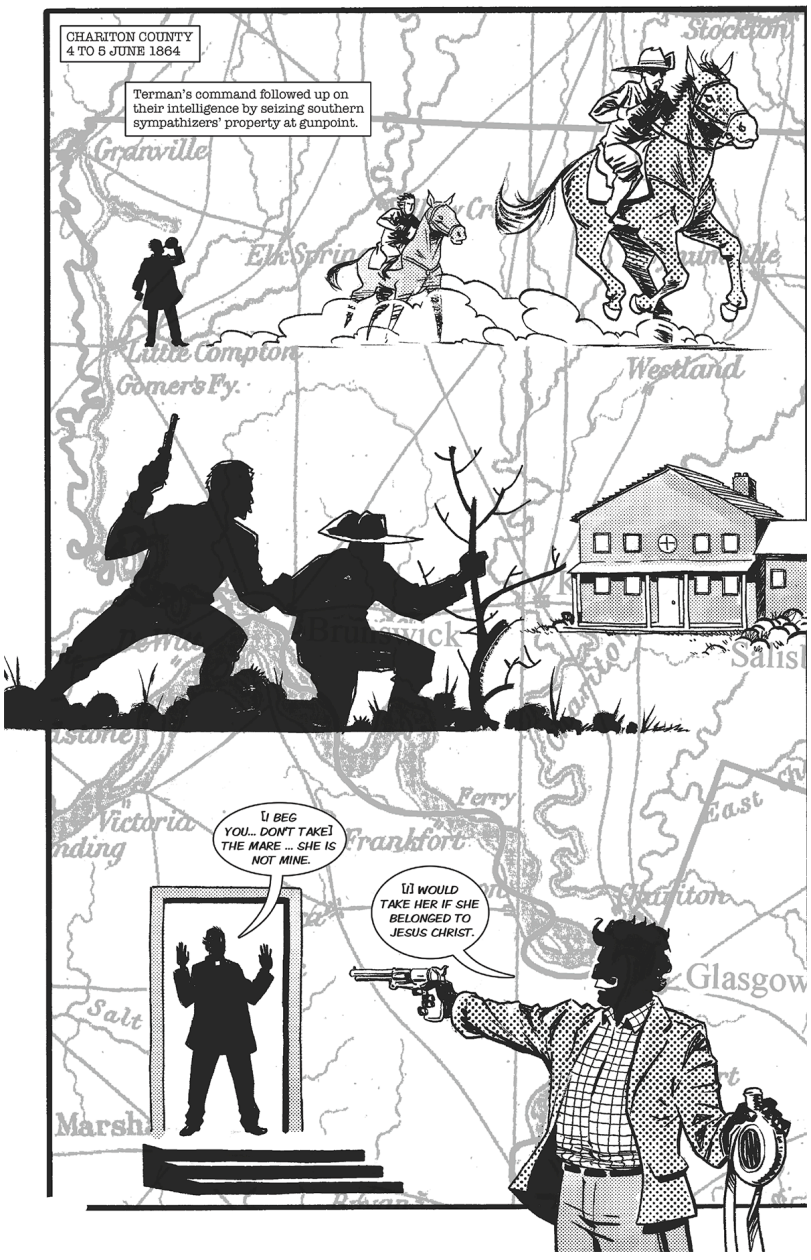
MACON, MO., *June* 3, 1864.

General FISK:

General Rosecrans telegraphed H. T. to go ahead on his scout. He has started in the direction of Saint Joseph and is as tight as a brick.

JOHN F. WILLIAMS,
Colonel.

Terman gathered intelligence on guerrillas' domestic supply line from Unionist civilians (who often had scores to settle with their southern-sympathizing neighbors). Terman did so on an individual level throughout his reign and in Union League meetings.
I HAVE NO DOUBT BUT THAT STARK AND ALL HIS FAMILY, ARE VERY DECIDED REBELS.
JOHN WALKER... PETER FOX... JENNINGS... VIERS... ANSLEM JOHNSON... M. C. HURT... THEIR GENERAL CHARACTER WAS THAT OF DISLOYAL MEN. ... VIERS WAS A MEMBER OF THE POINDEXTER [GUERRILLA] BAND, AND SO WAS JENNINGS.
THE GENERAL IMPRESSION IS THAT THEY [THE FOX FAMILY] HARBOR AND FEED BUSHWHACKERS WHENEVER THEY CALL AND THAT THEY FREQUENTLY CALL.
I SAW [GEORGE VEAL] IN COMPANY WITH JOHN COLEMAN, DICK OLDHAM, HENRY WATSON, JAMES COLEMAN, AND SEVERAL OTHER BUSHWHACKERS AND BRIDGE BURNERS. THIS WAS IN JULY 1861.


CHARITON COUNTY
4 TO 5 JUNE 1864
Terman's command followed up on their intelligence by seizing southern sympathizers' property at gunpoint.
Stockton
Grandville
Elk Spring
Little Compton
Gomer's Fy.
Westland
Frankfort
Ferry
East
Victoria
Glasgow
Salt
[I BEG YOU... DON'T TAKE] THE MARE ... SHE IS NOT MINE.
[I WOULD TAKE HER IF SHE BELONGED TO JESUS CHRIST.

6 June 1864. Terman's command seized property, intimidated southern sympathizers, took civilian guides for intelligence, and took two female "prisoners."
MC MURT

KNOCK KNOCK
6 JUNE 1864
JOHN WALKER'S RESIDENCE
The previous evening, Terman's men entrapped Walker by impersonating a group of guerrillas.
Walker allegedly provided a list of Union men he desired the guerrillas to kill.
Terman's men left but then returned to Walker's residence the following morning.
Walker confessed the guerrillas' whereabouts in an effort to save his life.
THERE [ARE] A HUNDRED BUSHWHACKERS IN CAMP BETWEEN [MY NEIGHBOR] BILLS' AND KEYTESVILLE.

A CAMP OF 75 OR 80 BUSHWHACKERS [is] LOCATED AT ABSOLOM JOHNSON'S SOME SIX OR EIGHT MILES FROM BILLS'. S.E. DIRECTION.
hmm...
NOT BEST TO ATTACK THE [BUSHWHACKER] CAMP ... WITH THE FORCE WE [HAVE. I'LL ORDER THEM] BACK TO BUCKLIN [AND WAIT ON REINFORCEMENTS.]
TAKE HIM DOWN AND SHOOT HIM.
BOOM
BOOM

The day after Walker's hanging, Lt. Samuel Patterson, Company C of the 9th Cavalry Missouri State Militia, was ordered to Chariton County to "act in concert with H. T." concerning the alleged bushwhacker camp near Absolom Johnson's.
– [I'LL GET YOU] A FINE HORSE AND A FINE PISTOL. ...
[T]HERE [ARE] 2,000 STAND OF ARMS NOW IN CHARITON AND 1,000 IN RANDOLPH. ...
[WE'RE] WITHIN 4 MILES OF THE [GUERRILLA] CAMP. ABOUT 150 STRONG.
LET US GO AND TAKE THEM IN.
When Lt. Patterson pushed Terman to immediately take the bushwhacker camp and seize the aforementioned arms, Terman "dropped the subject entirely." Lt. Patterson decided to reconnoiter the camp himself, having "no confidence in [Terman] from the beginning, as he kept drunk all the time."
Lt. Patterson reported to Brig. Gen. Fisk that after reconnoitering the location Terman described, he "failed to find any camp" and stated he "would rather be cashiered than be controlled by such a man."

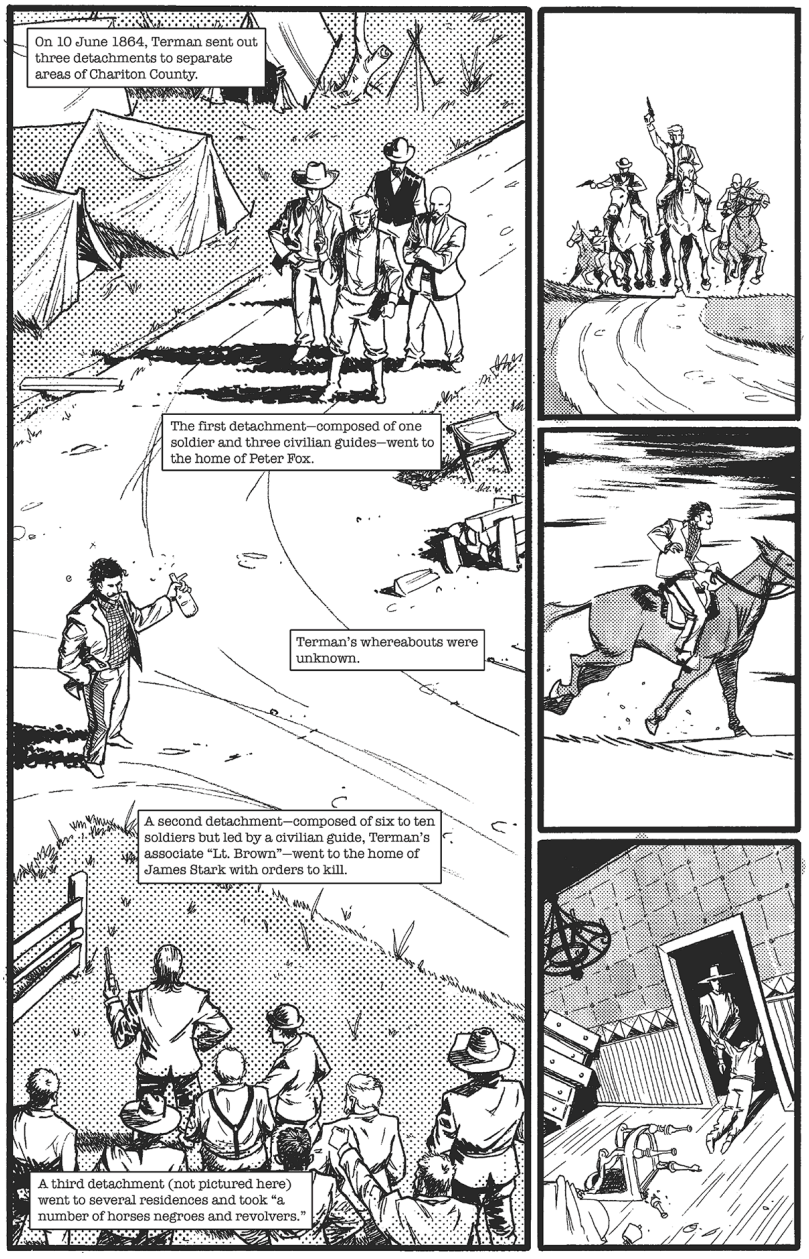
On the morning of 8 June 1864, Lt. Patterson and his men left Terman's command in Keytesville to get breakfast. Terman soon "dispatched two men to [Patterson] to reinforce" the attack on the guerrilla camp. He was furious with their reply.
[PATTERSON] UTTERLY REFUSED TO OBEY THE ORDERS.
DESERTED.
According to Terman, he "rallied" his forces, "made the attack and routed the guerrillas. Put them all to flight."

However...
COWARD...
...TRAITOR...
... IF HE HAD OF HELPED ME WE COULD OF CAPTURED ALL OF THEM.
Truman then ordered his men back to Keytesville.
They took out their frustration on civilians along the way...

By 8 June 1864, reports of Terman's questionable conduct filtered up to Brig. Gen. Fisk "through various sources ... [including] the proper channels from citizens."
... THE CAPT JAYHAWKED A UNION MAN OUT OF HIS MONEY ...
... WE GOT INTO BOONSBOROUGH ABOUT DARK ALL DRUNK ...
... I HEARD CAPT. TRUMAN TELL THE BOYS THAT WHENEVER THEY COME ACROSS A GOOD HORSE TO TAKE IT ...
THERE WAS SEVERAL HORSES TAKEN ...
... THEY WERE DRINKING AND CUTTING UP GENERALLY.
Fisk immediately telegraphed his superiors in St. Louis who had enabled Terman to stay in the field, complaining that Terman ...
"[c]laims to be under orders direct from department headquarters, and goes about with his most villainous conduct regardless of anybody ... plundering the best men in North Missouri, insults and abuses women ... travels in a state of beastly intoxication, with a notorious prostitute ... guilty of all the crimes that I am under obligation to put down. ... In the name of all that is loyal, patriotic, and holy ... order H. T. to Saint Louis and keep him there."
Maj. Gen. William Rosecrans in St. Louis replied to Fisk that "if he [Truman] has committed any crimes you are to take the proper steps for his punishment."
Fisk "immediately ordered the commanding officers at Brookfield and Macon ... to stop his [Truman's] operations and direct him to report to me."

Instead of obeying Fisk's orders, Terman continued his scout, which turned even more murderous toward civilians after the failed attack on the bushwhacker camp. William Viers (or Beviers) was the next to die, shot by Terman's men while attempting to escape after they took him prisoner.
CRACK
BANG

Terman suspected George Veal of hiding weapons for guerrillas.
After Veal produced said weapons under intimidation, Terman gave him thirty minutes to live—long enough to dictate a letter to his wife.
"Tell her I wish her to take my little effects and try and raise my little child and educate her the best she can on what she has got—and to tell her that I am about to die and would like very much to see her and her little child first but cannot. Tell her to try and raise my little child in the fear of the Lord that I hope to meet them in a better world—tell her I have wronged no man if I have I do not know it."


On 10 June 1864, Terman sent out three detachments to separate areas of Chariton County.
The first detachment—composed of one soldier and three civilian guides—went to the home of Peter Fox.
Terman's whereabouts were unknown.
A second detachment—composed of six to ten soldiers but led by a civilian guide, Terman's associate "Lt. Brown"—went to the home of James Stark with orders to kill.
A third detachment (not pictured here) went to several residences and took "a number of horses negroes and revolvers."

WHERE IS THE OLD MAN STARK?!
IOWA!
IF [WE DO] NOT GET THE OLD MAN STARK ...
... [YOU'LL] HANG!

BRING ... HENRY C. JENNINGS TO [US].

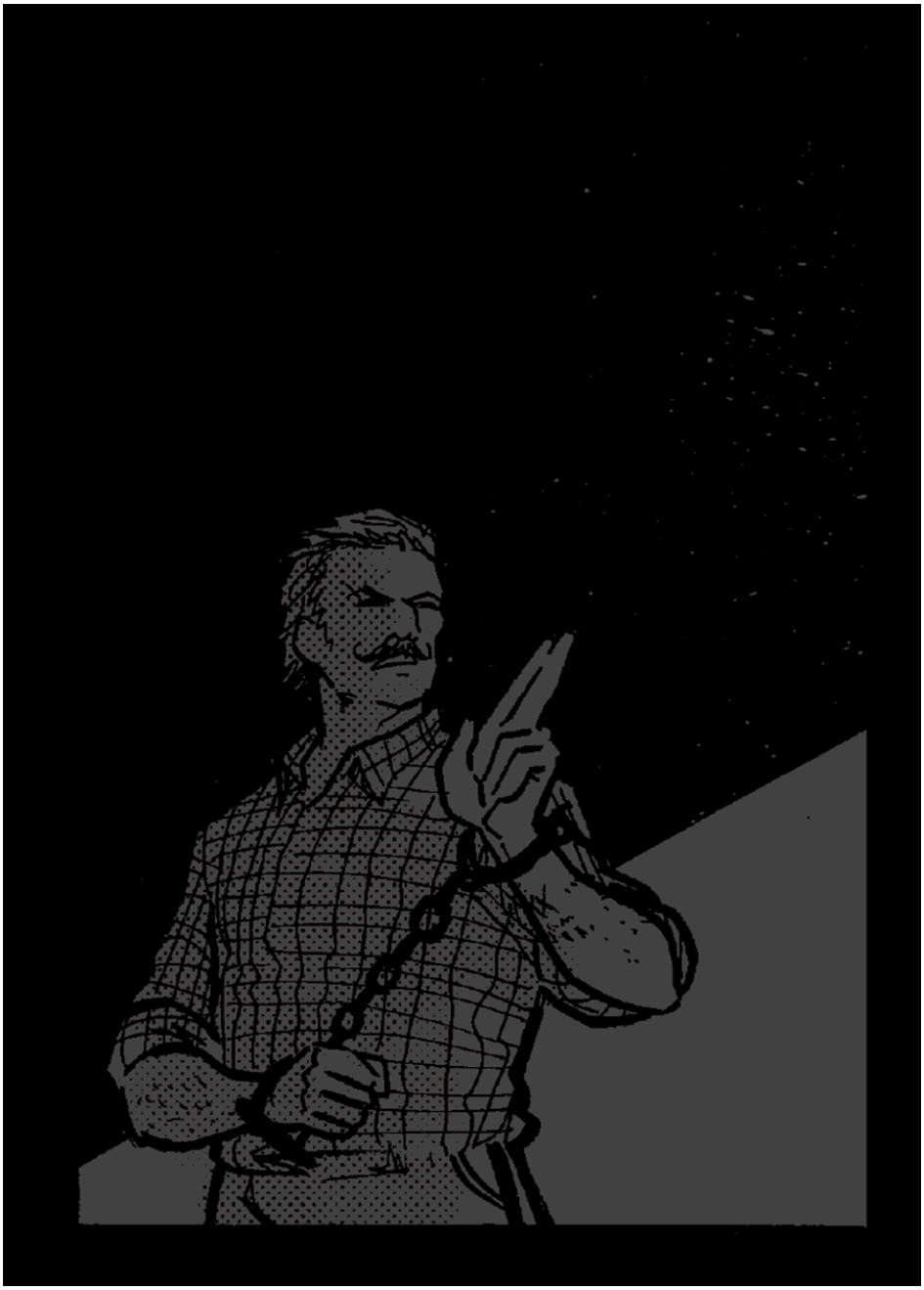
MY ORDERS ARE TO KILL YOU.
[WE] DISCLAIM ALL ACTS OF DISLOYALTY OR DISHONESTY. [GRANT US] PERMISSION TO PRAY AND ... SEE [OUR] FAMILIES.
YOU MAY PRAY.

BOOM
BOOM
!!!
YOUR HUSBAND AND SON-IN-LAW WERE KILLED FOR GENERAL DISLOYALTY AND DISHONESTY ON CAPTAIN TRUMAN'S ORDERS.

On 12 June 1864, Terman notified Fisk that his scout "killed 8 bushwhackers" and had "40 horses and 75 negroes to turn over to you. Please let me know what to do with them." He then addressed those Unionists that remained in Keytesville before his departure.
US
COLTS PIS 100 Ca
[I WILL] PROTECT ALL LAW-ABIDING MEN WHO STAY AT HOME AND ATTEND TO THEIR OWN BUSINESS AND WHO WILL GIVE ALL THE AID THEY COULD TO DETECT BUSHWHACKERS. ...
... I WILL SHED THE LAST DROP OF BLOOD I HAVE TO DEFEND YOU.

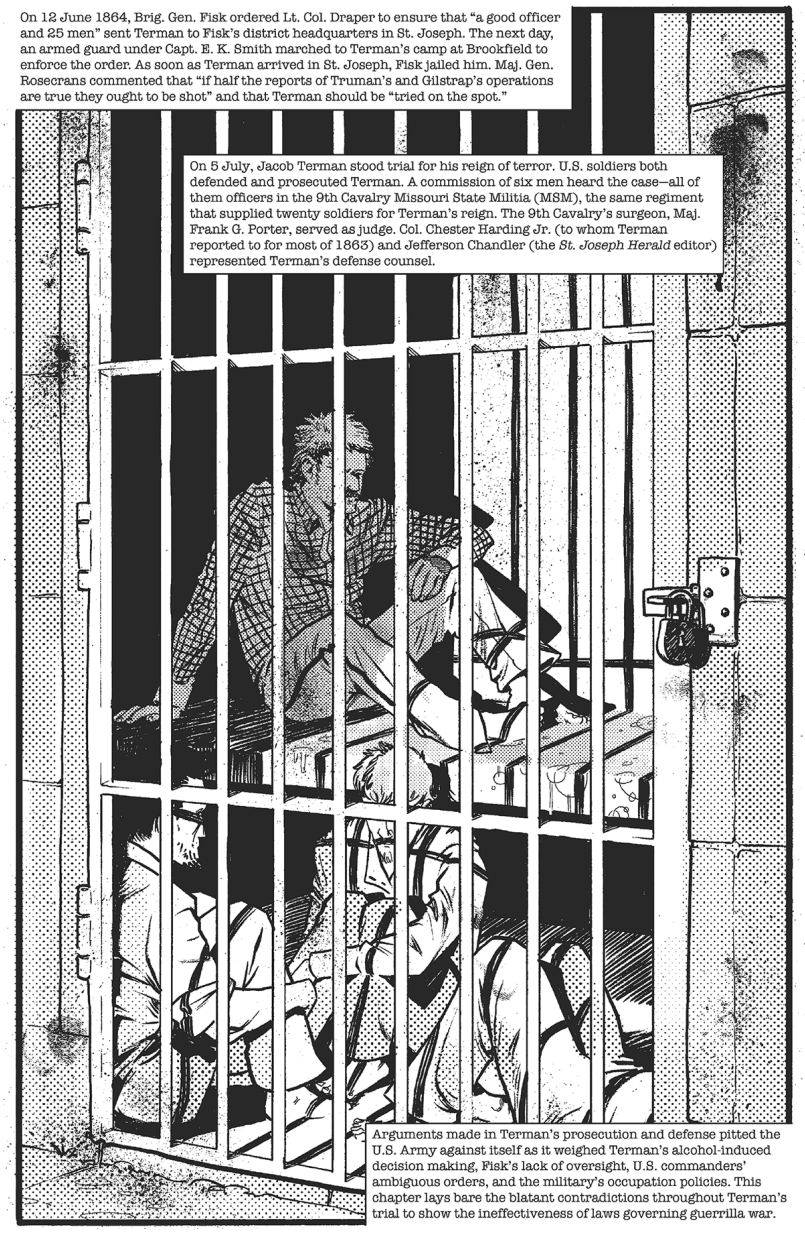
CHAPTER 5

THE TRIAL



On 12 June 1864, Brig. Gen. Fisk ordered Lt. Col. Draper to ensure that "a good officer and 25 men" sent Terman to Fisk's district headquarters in St. Joseph. The next day, an armed guard under Capt. E. K. Smith marched to Terman's camp at Brookfield to enforce the order. As soon as Terman arrived in St. Joseph, Fisk jailed him. Maj. Gen. Rosecrans commented that "if half the reports of Truman's and Gilstrap's operations are true they ought to be shot" and that Terman should be "tried on the spot."

On 5 July, Jacob Terman stood trial for his reign of terror. U.S. soldiers both defended and prosecuted Terman. A commission of six men heard the case—all of them officers in the 9th Cavalry Missouri State Militia (MSM), the same regiment that supplied twenty soldiers for Terman's reign. The 9th Cavalry's surgeon, Maj. Frank G. Porter, served as judge. Col. Chester Harding Jr. (to whom Terman reported to for most of 1863) and Jefferson Chandler (the *St. Joseph Herald* editor) represented Terman's defense counsel.



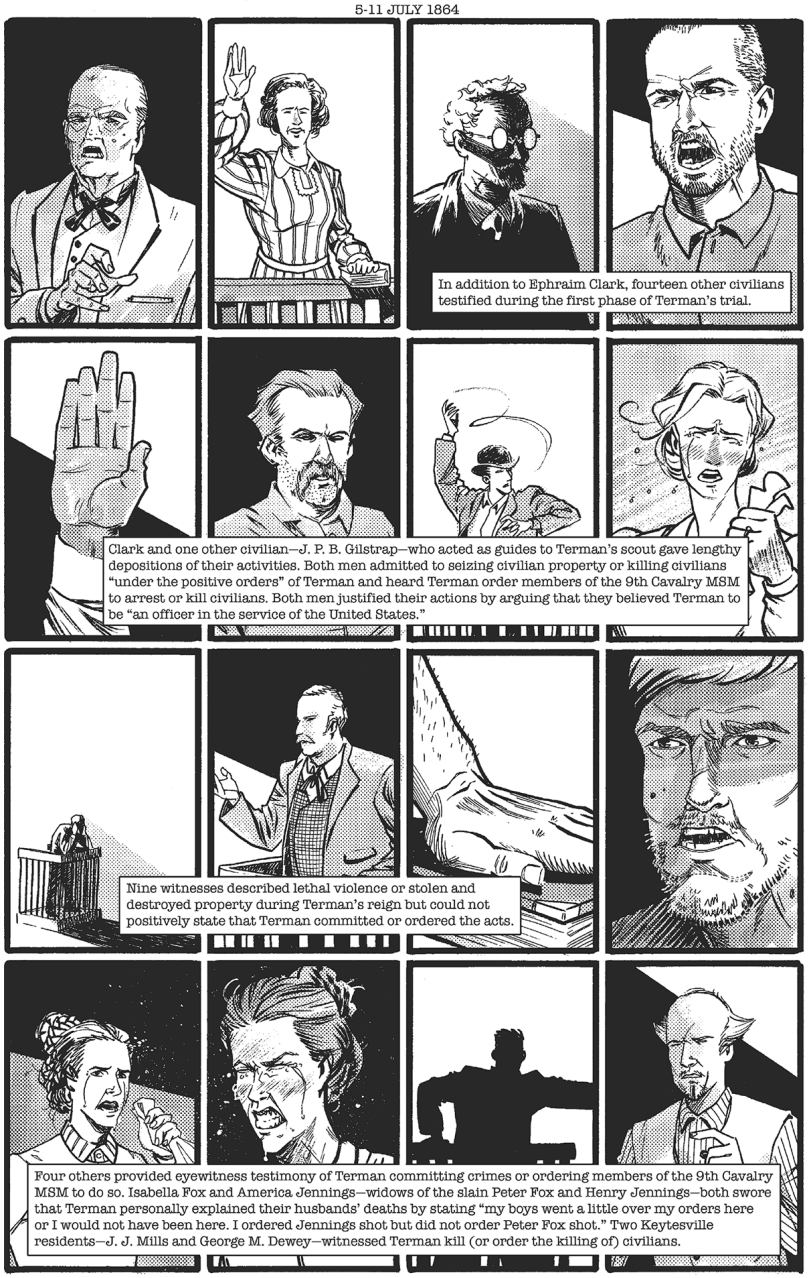
Arguments made in Terman's prosecution and defense pitted the U.S. Army against itself as it weighed Terman's alcohol-induced decision making, Fisk's lack of oversight, U.S. commanders' ambiguous orders, and the military's occupation policies. This chapter lays bare the blatant contradictions throughout Terman's trial to show the ineffectiveness of laws governing guerrilla war.

5 JULY 1864

"The accused, J. W. Terman alias Harry Truman, [is] duly arrainged [*sic*] on the following Charges and Specifications.
Charge first – **Murder.** In this that he J. W. Terman alias Harry Trumen [*sic*] falsely and fraudulently pretending to be an officer in the service of the United States did willfully and with malice aforethought kill and murder one John Walker ... George Veal ... Peter Fox ... Henry Jennings ... James Starks ... [and] William Viers.
Charge Second – **Robberry** [*sic*]. In this that he ... did feloniously take ... the property of one S. F. Skinner ... N. A. Langston ... Coy ... Cooper ... Thomas Wylie ... M. C. Hurt ... Robert H. Turner ... Mrs. Fox ... [and] Andrew Scribner.
Charge Third – **Larceny.** In this that he ... did feloniously take, steal, and carry away ... the property of M. C. Hurt ... Robert H. Turner ... S. F. Skinner ... N. A. Langston ... James Coy... Cooper ... Thomas Wylie ... Absolem Johnson ... Coleman ... Peter Fox ... [and] Andrew Scribner with an intent to appropriate the same to his own use.
Charge Fourth – **Arson.** In this that he ... did feloniously and willfully set fire to and burn the dwelling house of Absolem Johnson."
TO WHICH CHARGES AND SPECIFICATIONS THE PRISONER PLEADED...

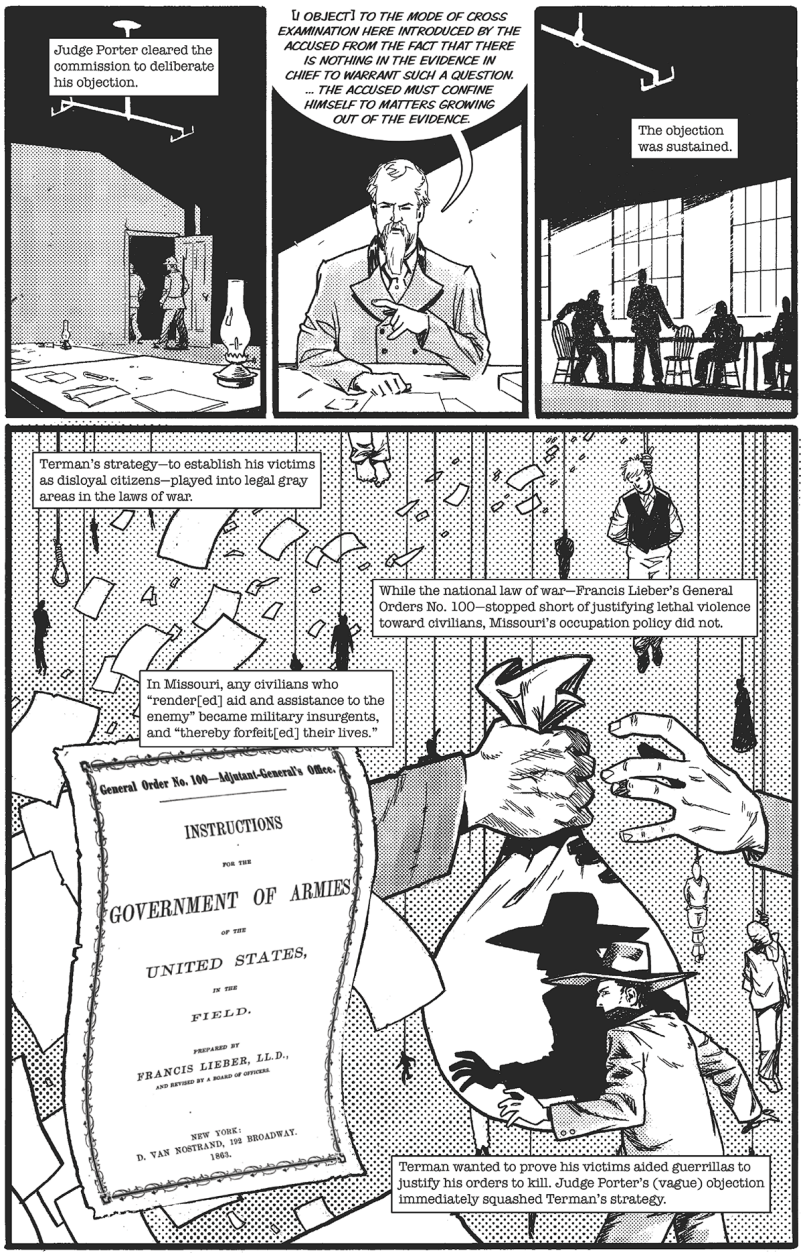
5 JULY 1864

... [NOT GUILTY TO ALL CHARGES.]
BIBLE
STATE YOUR NAME, AGE, RESIDENCE AND OCCUPATION.
EPHRAIM CLARK. THIRTY-THREE YEARS. CLARK TOWNSHIP, CHARITON COUNTY, MISSOURI. FARMER.
STATE IF YOU KNOW THE PRISONER.
YES. CAPT. HARRY TRUMEN.
IN WHAT CAPACITY DID HE REPRESENT HIMSELF AS ACTING FOR THE UNITED STATES?
AS A UNITED STATES DETECTIVE.
DID YOU ENTER INTO THE EMPLOY OF THE ACCUSED AT THAT TIME?
I DID—AND WAS TO RECEIVE TWO AND A HALF DOLLARS PER DAY.
STATE WHAT OCCURRED FROM THE DAY YOU ENTERED INTO THE SERVICE OF THE ACCUSED UNTIL YOU LEFT IT.


In addition to Ephraim Clark, fourteen other civilians testified during the first phase of Terman's trial.
Clark and one other civilian—J. P. B. Gilstrap—who acted as guides to Terman's scout gave lengthy depositions of their activities. Both men admitted to seizing civilian property or killing civilians "under the positive orders" of Terman and heard Terman order members of the 9th Cavalry MSM to arrest or kill civilians. Both men justified their actions by arguing that they believed Terman to be "an officer in the service of the United States."
Nine witnesses described lethal violence or stolen and destroyed property during Terman's reign but could not positively state that Terman committed or ordered the acts.
Four others provided eyewitness testimony of Terman committing crimes or ordering members of the 9th Cavalry MSM to do so. Isabella Fox and America Jennings—widows of the slain Peter Fox and Henry Jennings—both swore that Terman personally explained their husbands' deaths by stating "my boys went a little over my orders here or I would not have been here. I ordered Jennings shot but did not order Peter Fox shot." Two Keytesville residents—J. J. Mills and George M. Dewey—witnessed Terman kill (or order the killing of) civilians.

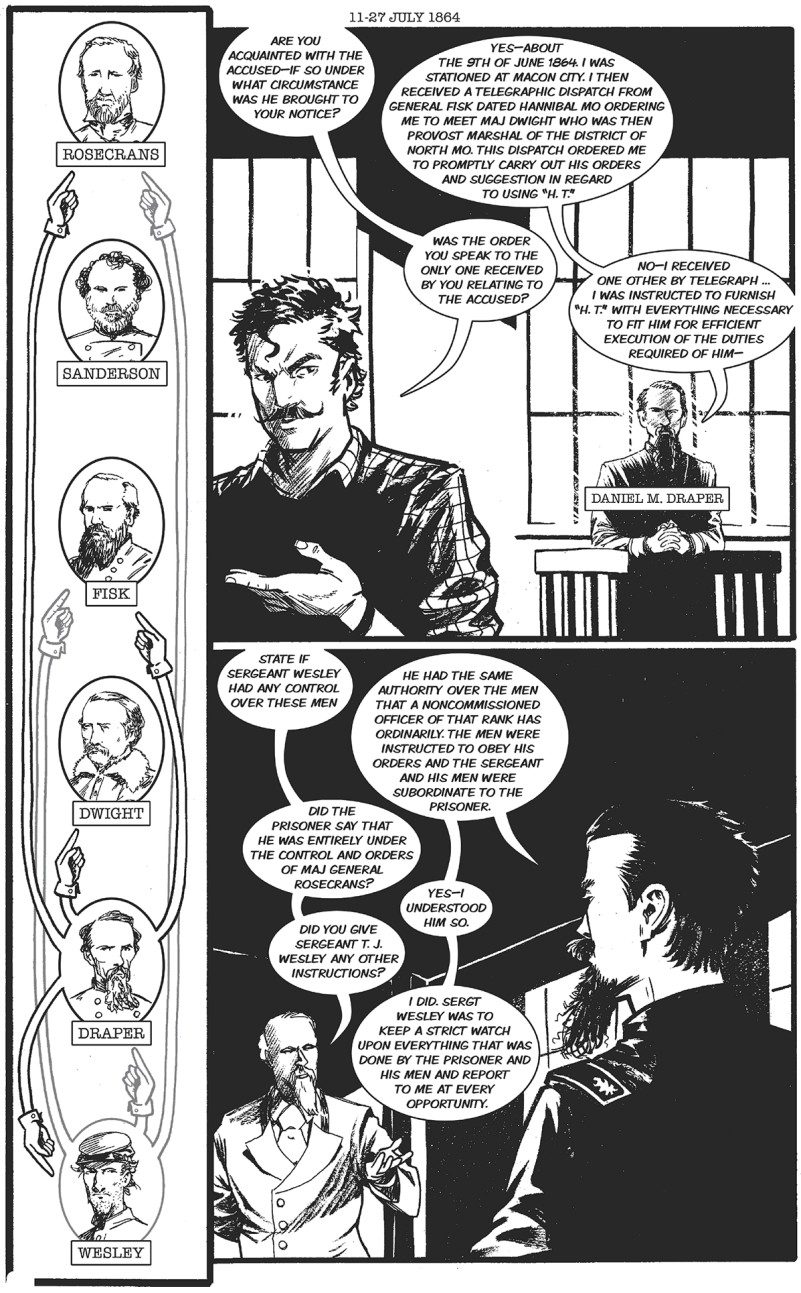
During witness testimony, Judge Porter sought to prove that the U.S. military never officially employed Terman. Meanwhile, Terman had two goals: first, to whittle down his charges by separating hearsay from positive eyewitness accounts of his actions; second, to establish his victims as disloyal citizens.
HOW DID YOU KNOW THAT THE ACCUSED [TERMAN] WAS AN OFFICER?
I DID NOT KNOW HE WAS AN OFFICER. I WAS INTRODUCED TO HIM AS AN OFFICER AND BELIEVED HIM TO BE AN OFFICER.
EPHRAIM CLARK
STATE THE EXACT NUMBER OF MEN PRESENT WHO PARTICIPATED IN THE MURDER OF SAID FOX AND JENNINGS.
I CANNOT STATE EXACTLY— I THINK THERE WERE FIVE.
DO YOU KNOW IF THESE PRESENT BELONGED TO THE ACCUSED'S [TERMAN'S] COMPANY—OR WERE THEY ONLY CITIZENS?
I THINK THEY DID.
WILLIAM POLK YOUNG
DO YOU KNOW IF THE ACCUSED EVER GAVE ANY ORDER TO THIS PARTY TO KILL FOX AND JENNINGS?
I DO NOT KNOW POSITIVELY THAT HE DID.
STATE IF YOU WERE IN THE EMPLOY OF THE PRISONER.
YES—I WAS IN HIS EMPLOY AND SUBJECT TO HIS ORDERS.
YOU SAY THE PRISONER REPRESENTED HIMSELF TO YOU AS AN OFFICER OF THE UNITED STATES. STATE WHAT HE SAID TO YOU.
J. P. B. GILSTRAP
THAT HE WAS A UNITED STATES DETECTIVE CHIEF OF U.S. SCOUTS BY ORDER OF ROSECRANS TO OPERATE IN NORTH MISSOURI.
DID THE PRISONER SWEAR YOU INTO THE DETECTIVE SERVICE OF THE UNITED STATES?
NO.
ARE YOU WELL ACQUAINTED WITH THIS JOHN WALKER [WHOM TERMAN ORDERED KILLED]?
NOT PERSONALLY— BUT WELL ACQUAINTED WITH HIS STANDING IN THE COMMUNITY.
WHAT WAS THAT STANDING AS REGARDS TO LOYALTY?
OBJECTION.
EPHRAIM CLARK

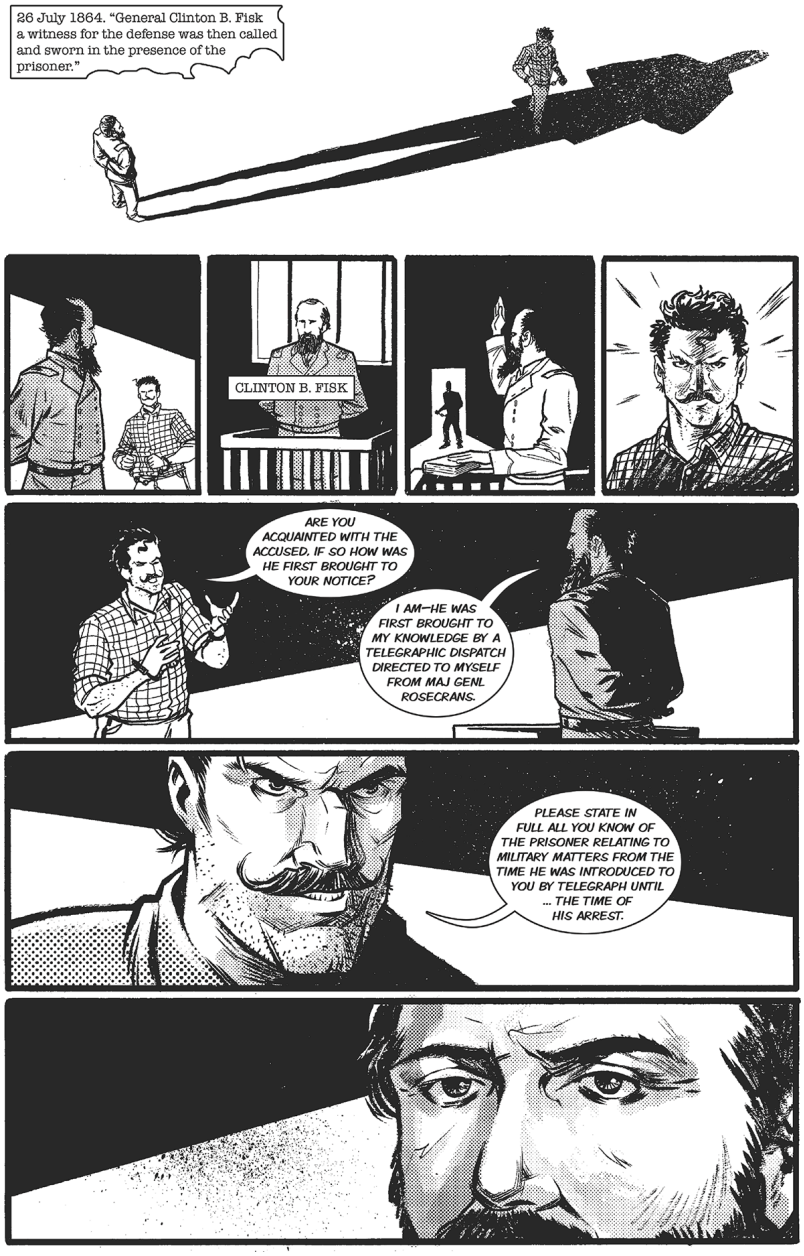
5-11 JULY 1864

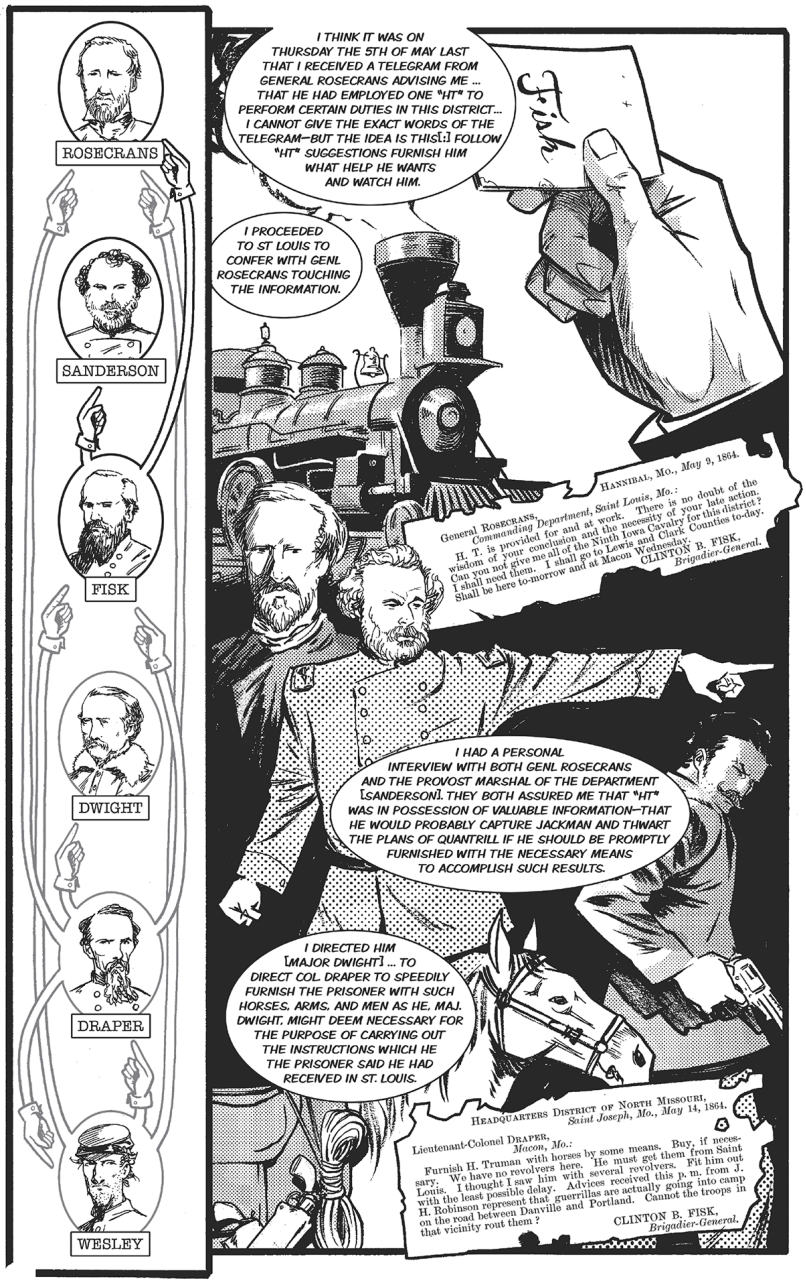

Judge Porter cleared the commission to deliberate his objection.
[I OBJECT] TO THE MODE OF CROSS EXAMINATION HERE INTRODUCED BY THE ACCUSED FROM THE FACT THAT THERE IS NOTHING IN THE EVIDENCE IN CHIEF TO WARRANT SUCH A QUESTION. ... THE ACCUSED MUST CONFINE HIMSELF TO MATTERS GROWING OUT OF THE EVIDENCE.
The objection was sustained.
Terman's strategy—to establish his victims as disloyal citizens—played into legal gray areas in the laws of war.
While the national law of war—Francis Lieber's General Orders No. 100—stopped short of justifying lethal violence toward civilians, Missouri's occupation policy did not.
In Missouri, any civilians who "render[ed] aid and assistance to the enemy" became military insurgents, and "thereby forfeit[ed] their lives."
General Order No. 100—Adjutant-General's Office.
INSTRUCTIONS
FOR THE
GOVERNMENT OF ARMIES
OF THE
UNITED STATES,
IN THE
FIELD.
PREPARED BY
FRANCIS LIEBER, LL.D.,
AND REVISED BY A BOARD OF OFFICERS.
NEW YORK:
D. VAN NOSTRAND, 192 BROADWAY.
1863.
Terman wanted to prove his victims aided guerrillas to justify his orders to kill. Judge Porter's (vague) objection immediately squashed Terman's strategy.

During the second phase of the trial, Terman shifted his strategy to establishing his authority as a member of the U.S. military. This page illustrates the officers and commanders who collaborated with Terman and where they fit in the chain of command.
WILLIAM S. ROSECRANS
MAJOR GENERAL
DEPARTMENT OF THE MISSOURI
JOHN P. SANDERSON
COLONEL; PROVOST MARSHAL GENERAL
DEPARTMENT OF THE MISSOURI
CLINTON B. FISK
BRIGADIER GENERAL
DISTRICT OF NORTH MISSOURI
HOLY BIBLE
JAMES F. DWIGHT
MAJOR; PROVOST MARSHAL
DISTRICT OF NORTH MISSOURI
Macon
DANIEL M. DRAPER
LIEUTENANT COLONEL - 9TH CAVALRY MISSOURI STATE MILITIA (SIX COMPANIES)
MACON, MISSOURI
THOMAS J. WESLEY
SERGEANT - 9TH CAVALRY MISSOURI STATE MILITIA, COMPANY H
MACON, MISSOURI

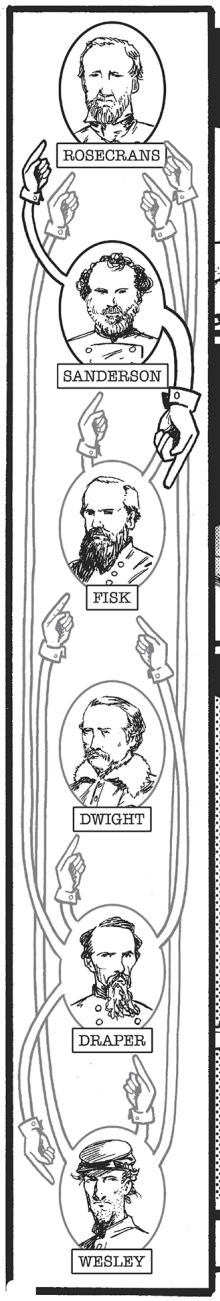
11-27 JULY 1864
ROSECRANS
SANDERSON
FISK
DWIGHT
DRAPER
WESLEY
STATE WHO ORDERED YOU TO REPORT TO THE PRISONER FOR ORDERS.
LIEUT. COL. DRAPER OF THE 9TH CAV MSM ...
STATE IF THE PRISONER EVER REPRESENTED HIMSELF... AS AN OFFICER ... AND IF SO WHAT WAS THE OFFICE HE ASSUMED TO HOLD.
AS CHIEF OF SCOUTS AND DETECTIVE
THOMAS J. WESLEY
STATE IF YOU KNOW FROM WHOM HE ASSUMED TO HAVE THIS AUTHORITY.
FROM GENL. ROSECRANS.
WILL YOU STATE IN FULL THE INSTRUCTIONS OF LIEUT. COL. DRAPER TO YOU AND YOUR MEN RELATING TO YOUR DUTIES WHILE UNDER THE CONTROL OF THE ACCUSED?
HE CALLED ME AND NINETEEN MEN TOGETHER ... AND TOLD US THAT WE WERE PLACED UNDER CAPT. TRUMEN—TO OBEY HIM IN EVERY RESPECT AS WE WOULD ONE OF THE OFFICERS OF OUR OWN REGIMENT. THAT WE WERE GOING OUT WITH THE PRISONER AS SCOUTS AND PROBABLY WOULD HAVE SOME ROUGH WORK TO DO—AND IF WE WERE ORDERED TO KILL A MAN TO DO IT. AND HE WANTED US ALL TO BEHAVE OURSELVES AS STRICTLY AS WE DID UNDER OUR OWN OFFICERS.
WERE YOU PRESENT AT AN INTERVIEW BETWEEN BRIG. GENL. FISK AND THE ACCUSED ON OR ABOUT THE 1ST OF JUNE 1864? IF SO STATE WHAT PASSED BETWEEN GENL. FISK AND THE ACCUSED RELATIVE TO THE SCOUT IN WHICH YOU WERE ABOUT TO ENGAGE.
I WAS—THE PRISONER ASKED THE GENL IN MY PRESENCE WHAT COURSE HE SHOULD PURSUE IN REGARD TO KILLING REBELS, FOR ON THE PREVIOUS SCOUT HE HAD NOT MOLESTED OR HURT ANYONE. GENL FISK'S ANSWER WAS—USE YOUR OWN JUDGMENT OR DISCRETION.


11-27 JULY 1864
ROSECRANS
SANDERSON
FISK
DWIGHT
DRAPER
WESLEY
ARE YOU ACQUAINTED WITH THE ACCUSED—IF SO UNDER WHAT CIRCUMSTANCE WAS HE BROUGHT TO YOUR NOTICE?
YES—ABOUT THE 9TH OF JUNE 1864. I WAS STATIONED AT MACON CITY. I THEN RECEIVED A TELEGRAPHIC DISPATCH FROM GENERAL FISK DATED HANNIBAL MO ORDERING ME TO MEET MAJ DWIGHT WHO WAS THEN PROVOST MARSHAL OF THE DISTRICT OF NORTH MO. THIS DISPATCH ORDERED ME TO PROMPTLY CARRY OUT HIS ORDERS AND SUGGESTION IN REGARD TO USING "H. T."
WAS THE ORDER YOU SPEAK TO THE ONLY ONE RECEIVED BY YOU RELATING TO THE ACCUSED?
NO—I RECEIVED ONE OTHER BY TELEGRAPH ... I WAS INSTRUCTED TO FURNISH "H. T." WITH EVERYTHING NECESSARY TO FIT HIM FOR EFFICIENT EXECUTION OF THE DUTIES REQUIRED OF HIM—
DANIEL M. DRAPER
STATE IF SERGEANT WESLEY HAD ANY CONTROL OVER THESE MEN
HE HAD THE SAME AUTHORITY OVER THE MEN THAT A NONCOMMISSIONED OFFICER OF THAT RANK HAS ORDINARILY. THE MEN WERE INSTRUCTED TO OBEY HIS ORDERS AND THE SERGEANT AND HIS MEN WERE SUBORDINATE TO THE PRISONER.
DID THE PRISONER SAY THAT HE WAS ENTIRELY UNDER THE CONTROL AND ORDERS OF MAJ GENERAL ROSECRANS?
YES—I UNDERSTOOD HIM SO.
DID YOU GIVE SERGEANT T. J. WESLEY ANY OTHER INSTRUCTIONS?
I DID. SERGT WESLEY WAS TO KEEP A STRICT WATCH UPON EVERYTHING THAT WAS DONE BY THE PRISONER AND HIS MEN AND REPORT TO ME AT EVERY OPPORTUNITY.


26 July 1864. "General Clinton B. Fisk a witness for the defense was then called and sworn in the presence of the prisoner."
CLINTON B. FISK
ARE YOU ACQUAINTED WITH THE ACCUSED. IF SO HOW WAS HE FIRST BROUGHT TO YOUR NOTICE?
I AM—HE WAS FIRST BROUGHT TO MY KNOWLEDGE BY A TELEGRAPHIC DISPATCH DIRECTED TO MYSELF FROM MAJ GENL ROSECRANS.
PLEASE STATE IN FULL ALL YOU KNOW OF THE PRISONER RELATING TO MILITARY MATTERS FROM THE TIME HE WAS INTRODUCED TO YOU BY TELEGRAPH UNTIL ... THE TIME OF HIS ARREST.


ROSECRANS
SANDERSON
FISK
DWIGHT
DRAPER
WESLEY
I THINK IT WAS ON THURSDAY THE 5TH OF MAY LAST THAT I RECEIVED A TELEGRAM FROM GENERAL ROSECRANS ADVISING ME ... THAT HE HAD EMPLOYED ONE "HT" TO PERFORM CERTAIN DUTIES IN THIS DISTRICT... I CANNOT GIVE THE EXACT WORDS OF THE TELEGRAM—BUT THE IDEA IS THIS: I FOLLOW "HT" SUGGESTIONS FURNISH HIM WHAT HELP HE WANTS AND WATCH HIM.
I PROCEEDED TO ST LOUIS TO CONFER WITH GENL ROSECRANS TOUCHING THE INFORMATION.
Fish
HANNIBAL, MO., May 9, 1864.
General ROSECRANS, Commanding Department, Saint Louis, Mo.:
H. T. is provided for and at work. There is no doubt of the wisdom of your conclusion and the necessity of your late action. Can you not give me all of the Ninth Iowa Cavalry for this district? I shall need them. I shall go to Lewis and Clark Counties to-day. Shall be here to-morrow and at Macon Wednesday.
CLINTON B. FISK, Brigadier-General.
I HAD A PERSONAL INTERVIEW WITH BOTH GENL ROSECRANS AND THE PROVOST MARSHAL OF THE DEPARTMENT [SANDERSON]. THEY BOTH ASSURED ME THAT "HT" WAS IN POSSESSION OF VALUABLE INFORMATION—THAT HE WOULD PROBABLY CAPTURE JACKMAN AND THWART THE PLANS OF QUANTRILL IF HE SHOULD BE PROMPTLY FURNISHED WITH THE NECESSARY MEANS TO ACCOMPLISH SUCH RESULTS.
I DIRECTED HIM [MAJOR DWIGHT] ... TO DIRECT COL. DRAPER TO SPEEDILY FURNISH THE PRISONER WITH SUCH HORSES, ARMS, AND MEN AS HE, MAJ. DWIGHT, MIGHT DEEM NECESSARY FOR THE PURPOSE OF CARRYING OUT THE INSTRUCTIONS WHICH HE THE PRISONER SAID HE HAD RECEIVED IN ST. LOUIS.
HEADQUARTERS DISTRICT OF NORTH MISSOURI, Saint Joseph, Mo., May 14, 1864.
Lieutenant-Colonel DRAPER, Macon, Mo.:
Furnish H. Truman with horses by some means. Buy, if necessary. We have no revolvers here. He must get them from Saint Louis. I thought I saw him with several revolvers. Fit him out with the least possible delay. Advices received this p. m. from J. H. Robinson represent that guerrillas are actually going into camp on the road between Danville and Portland. Cannot the troops in that vicinity rout them?
CLINTON B. FISK, Brigadier-General.

I DIRECTED HIM [TERMAN] BY TELEGRAPH TO PROCEED FROM MACON TO ST. LOUIS AND REPORT TO COL. SANDERSON. THIS WAS ON THE FIRST OR SECOND DAY OF JUNE.
I LEARNED THAT INSTEAD OF PROCEEDING TO ST. LOUIS THE PRISONER OPENED COMMUNICATIONS WITH BOTH GENL. ROSECRANS AND COL. SANDERSON FROM MACON PROTESTING AGAINST GOING TO ST. LOUIS AT THAT TIME STATING TO THEM THAT IT WAS A MILITARY NECESSITY THAT HE SHOULD REMAIN IN THE FIELD A WEEK OR TWO LONGER.
I SUBSEQUENTLY LEARNT THAT THE PRISONER RECEIVED TELEGRAPHIC ORDERS DIRECT FROM THE MAJ. GENERAL COM[MANDING] AND HIS PROVOST MARSHALL GENERAL TO GO [A]HEAD,
THAT THEY CONCURRED WITH HIM IN HIS OPINION AND THE PRISONER WAS AGAIN IN THE FIELD BEFORE I HAD ANY KNOWLEDGE OF IT.
DID YOU CONSIDER THAT THE PRISONER WAS ... SUBJECT TO YOUR INSTRUCTION OR TO BE GOVERNED ENTIRELY BY ORDERS FROM ST. LOUIS?
I CONSIDERED THE PRISONER A DETECTIVE SCOUT UNDER ORDERS DIRECTLY FROM COL. SANDERSON PROVOST MARSHAL GENERAL OF THE DEPARTMENT AS ALL OTHER DETECTIVES ARE IN THE DEPARTMENT WHO ARE SENT OUT FROM ST. LOUIS.



With an entire military department to run, both Maj. Gen. Rosecrans and Provost Marshal General Sanderson were never present at Terman's trial. Instead, they produced depositions to a notary public in St. Louis. Terman submitted the affidavits as part of his defense.

"The Judge Advocate states to the Court that he has the legal right to object to the prisoner offering the depositions of Genl. W. S. Rosecrans and Col. J. P. Sanderson ... but in consideration of his desire to deal fairly and give the prisoner every facility not inconsistent with justice and right to show his innocence, he waves his right to object. ... The Judge Advocate then read in open court the affidavits."

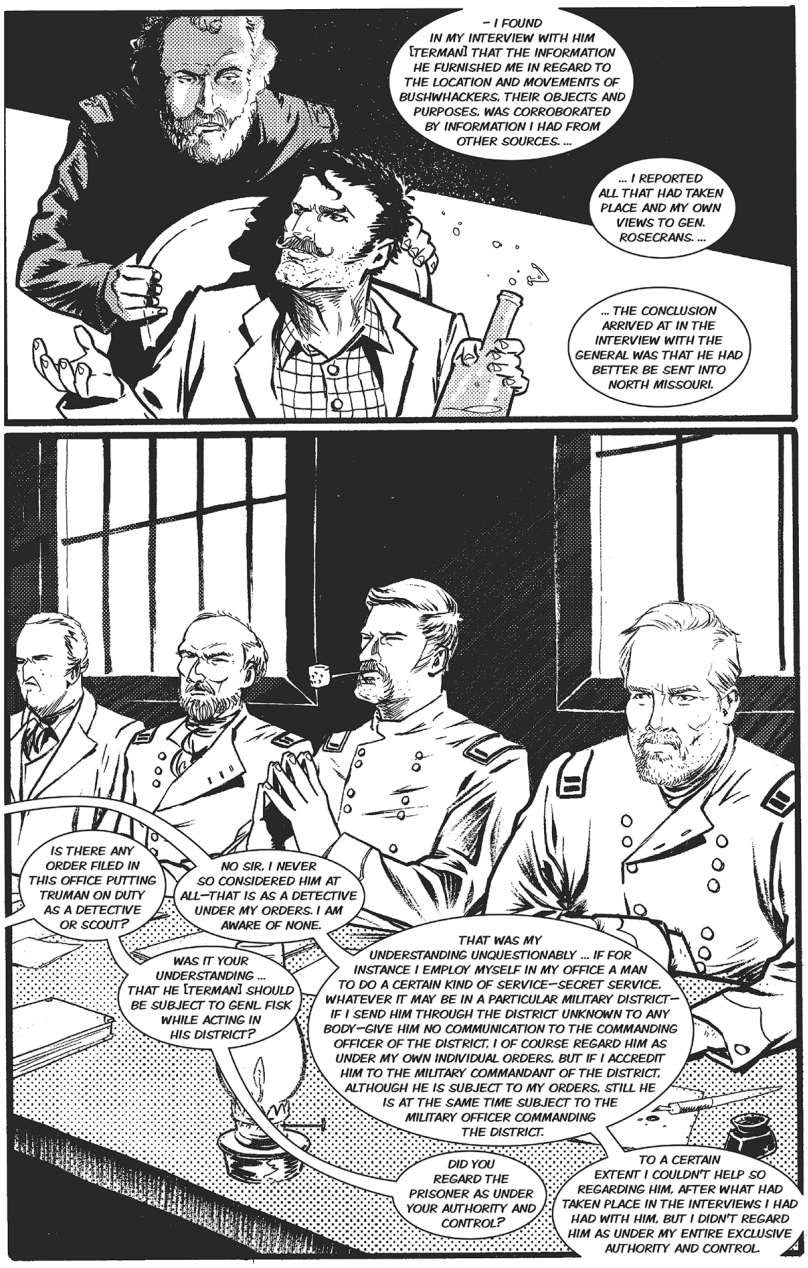
ARE YOU ACQUAINTED WITH HARRY TRUMAN?

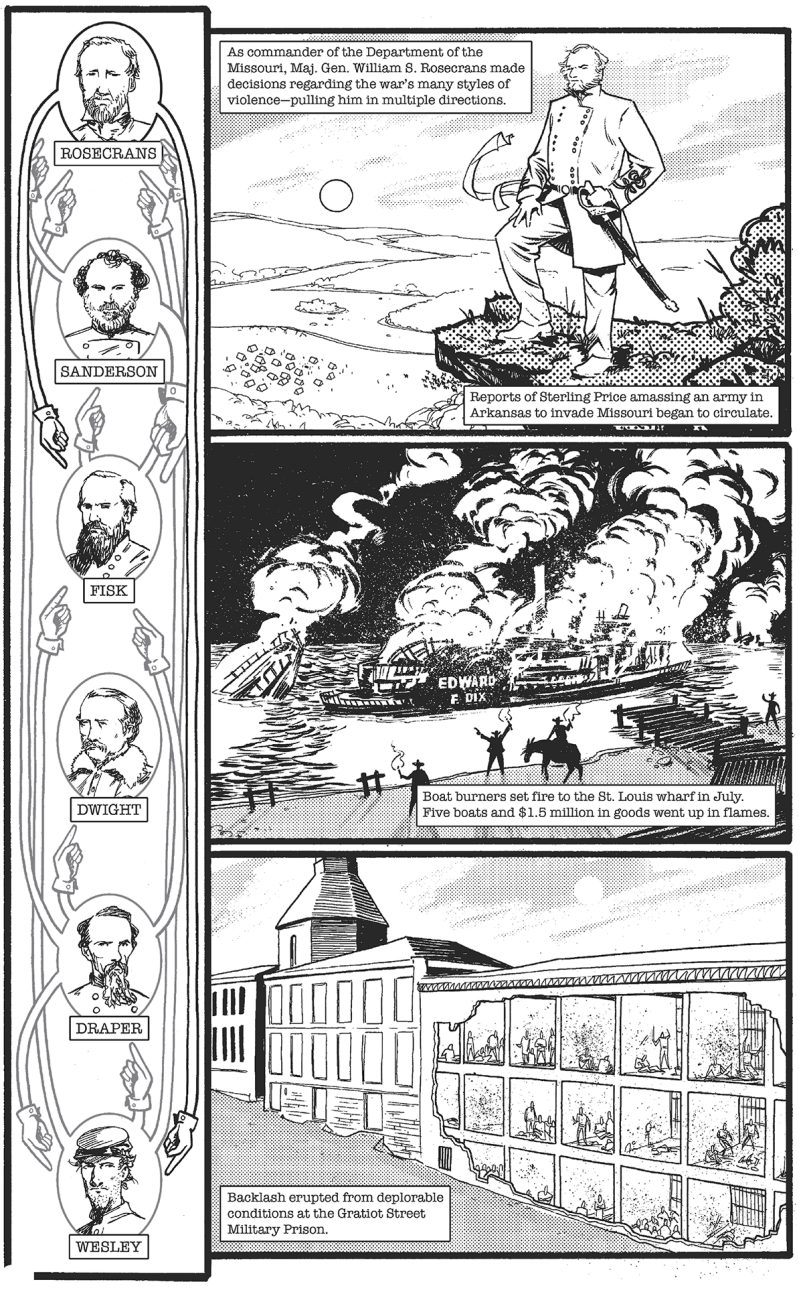
I KNOW A MAN WHO GOES BY THAT SOBRIQUET.

HAS HE EVER BEEN OPERATING UNDER YOUR DIRECTIONS?

NO, SIR— NOT SPECIALLY UNDER MY DIRECTIONS— TO ANSWER YOUR QUESTIONS TO BE FULLY UNDERSTOOD IT IS PROPER FOR ME TO STATE WHAT KNOWLEDGE I HAVE OF THE PERSON CALLED HARRY TRUMAN AND OF HIS OPERATIONS...

JOHN P. SANDERSON


– I FOUND IN MY INTERVIEW WITH HIM [TERMANI] THAT THE INFORMATION HE FURNISHED ME IN REGARD TO THE LOCATION AND MOVEMENTS OF BUSHWHACKERS, THEIR OBJECTS AND PURPOSES, WAS CORROBORATED BY INFORMATION I HAD FROM OTHER SOURCES. ...
... I REPORTED ALL THAT HAD TAKEN PLACE AND MY OWN VIEWS TO GEN. ROSECRANS. ...
... THE CONCLUSION ARRIVED AT IN THE INTERVIEW WITH THE GENERAL WAS THAT HE HAD BETTER BE SENT INTO NORTH MISSOURI.
IS THERE ANY ORDER FILED IN THIS OFFICE PUTTING TRUMAN ON DUTY AS A DETECTIVE OR SCOUT?
NO SIR. I NEVER SO CONSIDERED HIM AT ALL—THAT IS AS A DETECTIVE UNDER MY ORDERS. I AM AWARE OF NONE.
WAS IT YOUR UNDERSTANDING ... THAT HE [TERMANI] SHOULD BE SUBJECT TO GENL FISK WHILE ACTING IN HIS DISTRICT?
THAT WAS MY UNDERSTANDING UNQUESTIONABLY ... IF FOR INSTANCE I EMPLOY MYSELF IN MY OFFICE A MAN TO DO A CERTAIN KIND OF SERVICE—SECRET SERVICE, WHATEVER IT MAY BE IN A PARTICULAR MILITARY DISTRICT—IF I SEND HIM THROUGH THE DISTRICT UNKNOWN TO ANY BODY—GIVE HIM NO COMMUNICATION TO THE COMMANDING OFFICER OF THE DISTRICT, I OF COURSE REGARD HIM AS UNDER MY OWN INDIVIDUAL ORDERS. BUT IF I ACCREDIT HIM TO THE MILITARY COMMANDANT OF THE DISTRICT. ALTHOUGH HE IS SUBJECT TO MY ORDERS, STILL HE IS AT THE SAME TIME SUBJECT TO THE MILITARY OFFICER COMMANDING THE DISTRICT.
DID YOU REGARD THE PRISONER AS UNDER YOUR AUTHORITY AND CONTROL?
TO A CERTAIN EXTENT I COULDN'T HELP SO REGARDING HIM, AFTER WHAT HAD TAKEN PLACE IN THE INTERVIEWS I HAD HAD WITH HIM, BUT I DIDN'T REGARD HIM AS UNDER MY ENTIRE EXCLUSIVE AUTHORITY AND CONTROL.


ROSECRANS
SANDERSON
FISK
DWIGHT
DRAPER
WESLEY
As commander of the Department of the Missouri, Maj. Gen. William S. Rosecrans made decisions regarding the war's many styles of violence—pulling him in multiple directions.
Reports of Sterling Price amassing an army in Arkansas to invade Missouri began to circulate.
EDWARD
F. DIX
Boat burners set fire to the St. Louis wharf in July. Five boats and $1.5 million in goods went up in flames.
Backlash erupted from deplorable conditions at the Gratiot Street Military Prison.

11-27 JULY 1864

DO YOU KNOW HARRY TRUMAN?
I DO.
HAS HE AT ANY TIME ... BEEN ACTING IN ANY MILITARY CAPACITY UNDER YOUR DIRECTIONS?
IN A QUALIFIED SENSE— YES. HARRY TRUMAN CAME TO ME RECOMMENDED BY GENL. EWING AS A SCOUT, AND SAID THAT HE COULD FIND [GUERRILLA LEADER JAMES] JACKMAN AND KILL HIM. ... I TOLD HIM ...
... THAT HE MUST REPORT TO THE COMMANDING OFFICER OF THE DISTRICT OF NORTH MISSOURI, GENL. FISK ...
... AND THAT I WOULD TELEGRAPH HIM [FISK] THAT "H. T." "SCOUT" WAS GOING UP INTO THAT REGION TO OPERATE AND THAT IF HE FOUND IT NECESSARY TO GET A LITTLE HELP TO LET HIM HAVE IT. "H. T." WOULD INFORM HIM WHAT HE HAD UNDERTAKEN TO DO, WHICH I COULD NOT TELEGRAPH. ...
... HE [TERMAN] WAS EXPECTED TO MAKE GENL. FISK ACQUAINTED WITH THE UNDERTAKING, AND TO BE GUIDED ALTOGETHER BY GENL. FISK.
WILLIAM S. ROSECRANS

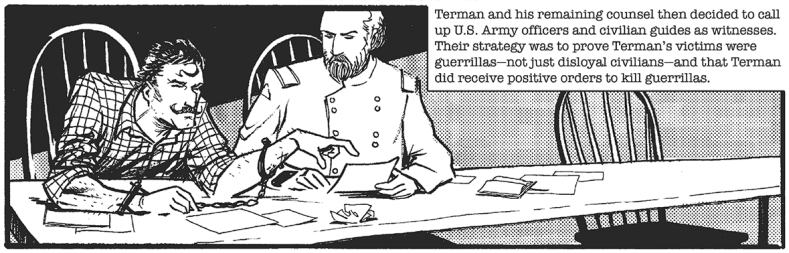
WERE THE INSTRUCTIONS GIVEN TO GENL. FISK IN REGARD TO TRUMAN POSITIVE OR IN A MEASURE DISCRETIONARY?
WHAT WAS THE POLICY HE [TERMAN] WAS EXPECTED TO PURSUE IN REGARD TO GUERRILLAS?
ALMOST ALTOGETHER DISCRETIONARY. IT WAS UNDERSTOOD THAT TRUMAN WAS A DOUBTFUL CHARACTER WHO MIGHT DO GOOD, AND THAT IT WAS DESIRABLE TO AVAIL OURSELVES OF HIS SERVICES.
HE WAS NOT EXPECTED TO HAVE ANY POLICY. ...
HAVE YOU ANY OBJECTION TO STATING THE GENERAL POLICY THAT HAS BEEN PURSUED IN THE DEPARTMENT ... IN REGARD TO THESE GUERRILLAS?
OFFICERS IN COMMAND OF TROOPS FIGHTING BUSHWHACKERS HAVE EXERCISED THEIR DISCRETION, AND BEEN PERMITTED TO DO SO. IT BEING UNDERSTOOD THAT BUSHWHACKERS ARE OUTLAWS, AND WHEN ENCOUNTERED WITH ARMS IN THEIR HANDS, ARE LIABLE TO BE KILLED OR CAPTURED. ...
... THERE ARE A GREAT MANY ORDERS RESPECTING BUSHWHACKERS ... WHAT THEY DO SPECIFY PARTICULARLY I DO NOT NOW CALL TO MIND. NONE HAVE BEEN RESCINDED BY ME.

YOU STATE GENERAL THAT YOU ... EMPLOYED HARRY TRUMAN ON SPECIAL DUTY, WILL YOU STATE IF HE WAS AN OFFICER IN THE SERVICE OF THE UNITED STATES?
HE WAS NOT.
HAD HE ANY RIGHT TO COMMAND MILITARY MEN OR CITIZENS?
NONE WHATEVER. ... WHATEVER ENTERPRISE MIGHT HAVE BEEN DEEMED FOR THE PUBLIC GOOD UNDER HIS DIRECTION REQUIRING FORCE WOULD HAVE BEEN CARRIED ON BY SOME LAWFUL MILITARY COMMANDER OF THAT FORCE [I.E., SERGEANT THOMAS J. WESLEY]
YOU STATE POSITIVELY THAT HE HAD NO AUTHORITY FROM YOU TO KILL ANY ONE EXCEPT JACKMAN?
I GAVE HIM NO AUTHORITY TO KILL ANY ONE ... EXCEPT JACKMAN. BUT THE BUSINESS OF KILLING JACKMAN, IT WAS UNDERSTOOD, MIGHT INVOLVE A CONTEST WITH OTHERS WHOSE LIVES MIGHT BE LOST.

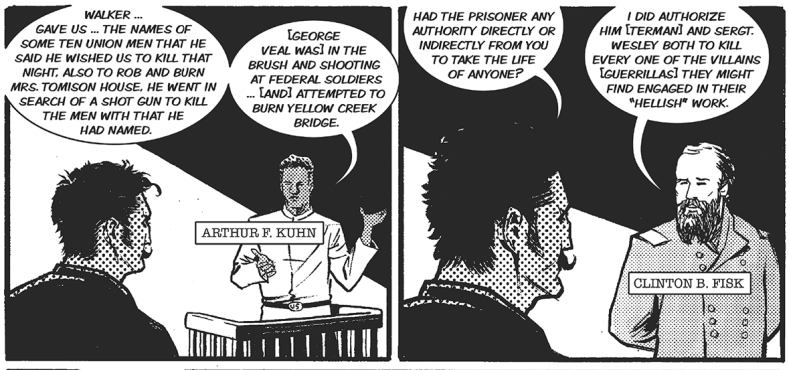
NIGHT OF 27-28 JULY 1864

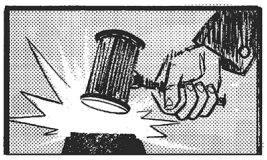
Judge Porter allowed Rosecrans's and Sanderson's affidavits to stand as evidence. On the other hand, Porter denied Terman the ability to present his telegraphic orders from Rosecrans and Sanderson as evidence, provoking Terman's attorney to lose his temper. According to the judge, after the court adjourned on 27 July, "between the hours of 4 and 5 o'clock ... Jefferson Chandler counsel for J. W. Terman ... did slander and impugn the justice and fairness of said Commission."

IT IS OF NO USE FOR ME TO RAISE ANY OBJECTIONS ...
... BECAUSE THE COMMISSION WILL NOT SUSTAIN ME IN ANYTHING. ...
... THE OBJECTIONS I ALREADY RAISED ...
... AND THE RIGHTS I HAVE INSISTED ON HAVE NOT BEEN GRANTED. I COULD SUSTAIN THESE POINTS BEFORE ANY CIVIL COURT!
JEFFERSON CHANDLER ATTORNEY AT LAW IS HEREBY PROHIBITED FROM PRACTICING HIS PROFESSION BEFORE THIS COURT—
BECAUSE SAID JEFFERSON CHANDLER HAS SEEN FIT TO UTTER CERTAIN WORDS REFLECTING UPON THE CHARACTER OF THIS COURT FOR FAIRNESS AND JUSTICE IN ITS PROCEEDINGS, WHICH WORDS ARE HIGHLY SLANDEROUS AND UNJUST.
By order of the Court
(Signed) Jas C. Adams



Terman and his remaining counsel then decided to call up U.S. Army officers and civilian guides as witnesses. Their strategy was to prove Terman's victims were guerrillas—not just disloyal civilians—and that Terman did receive positive orders to kill guerrillas.


WALKER ... GAVE US ... THE NAMES OF SOME TEN UNION MEN THAT HE SAID HE WISHED US TO KILL THAT NIGHT. ALSO TO ROB AND BURN MRS. TOMISON HOUSE. HE WENT IN SEARCH OF A SHOT GUN TO KILL THE MEN WITH THAT HE HAD NAMED.
[GEORGE VEAL WAS] IN THE BRUSH AND SHOOTING AT FEDERAL SOLDIERS ... [AND] ATTEMPTED TO BURN YELLOW CREEK BRIDGE.
ARTHUR F. KUHN
HAD THE PRISONER ANY AUTHORITY DIRECTLY OR INDIRECTLY FROM YOU TO TAKE THE LIFE OF ANYONE?
I DID AUTHORIZE HIM [TERMAN] AND SERGT. WESLEY BOTH TO KILL EVERY ONE OF THE VILLAINS [GUERRILLAS] THEY MIGHT FIND ENGAGED IN THEIR "HELLISH" WORK.
CLINTON B. FISK
AT WHAT TIME IN THE CONVERSATION THAT GENL. FISK HAD WITH THE PRISONER WAS IT THAT THE GENERAL GAVE THE ORDER TO KILL REBELS?
IT WAS AFTER HE GAVE THE PRISONER ORDERS TO COME TO ST. JOSEPH.
THOMAS J. WESLEY
MR. VEAL STATED THAT HE HAD BEEN ENGAGED IN THE BURNING OF THE PLATTE RIVER BRIDGE, ALSO THAT HE HAD A HAND IN KILLING ONE PHILLIPS OF CHARITON CO. AND THAT HE KEPT HIS ARMS HID OUT IN THE DAYTIME AND USED THEM AT NIGHT.
STARKS ... [WAS] ONE OF HOLTZCLAW'S BAND. HE ACKNOWLEDGED THAT HE WAS CONCERNED IN THE ROBBERY OF KEYTESVILLE AND THAT HE WAS ALSO CONCERNED IN THE MURDER OF PHILLIPS.
JUDGE [MARTIN C. HURT] WAS A MEMBER OF THE AMERICAN KNIGHTS.
JAMES B. HARTMEN



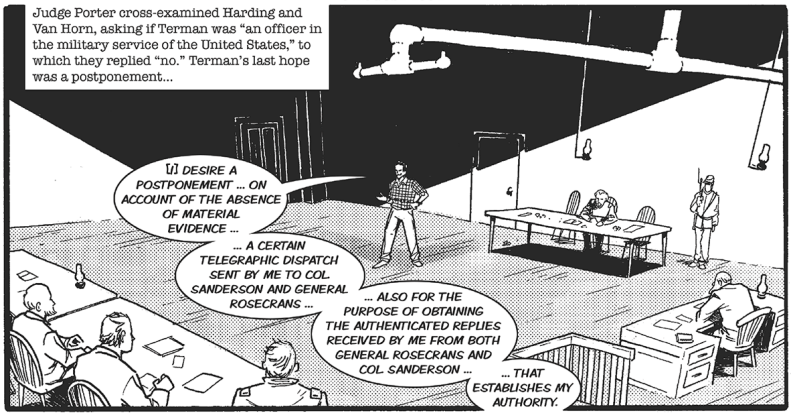
The judge quashed Terman's strategy, arguing that "the prisoner has failed to show that he had any authority to take the life of any one whether loyal or disloyal. And in order to claim the legal right to produce such testimony he must first show that he had authority to kill and destroy a certain class of men and then, and not till then, would it be competent for him to show that the men he killed belonged to that class."

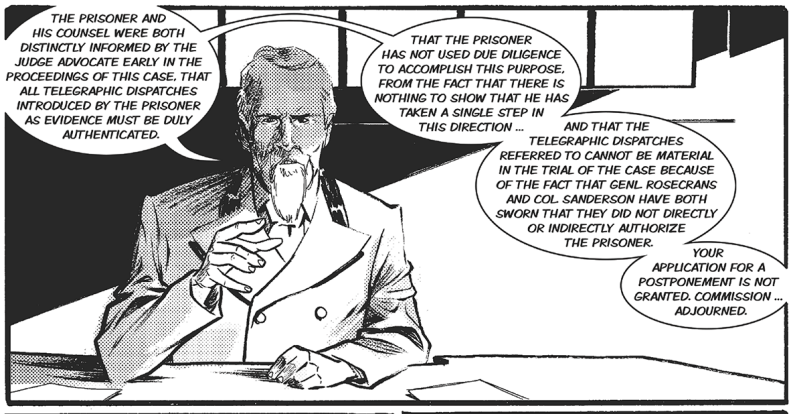
1 AUGUST 1864

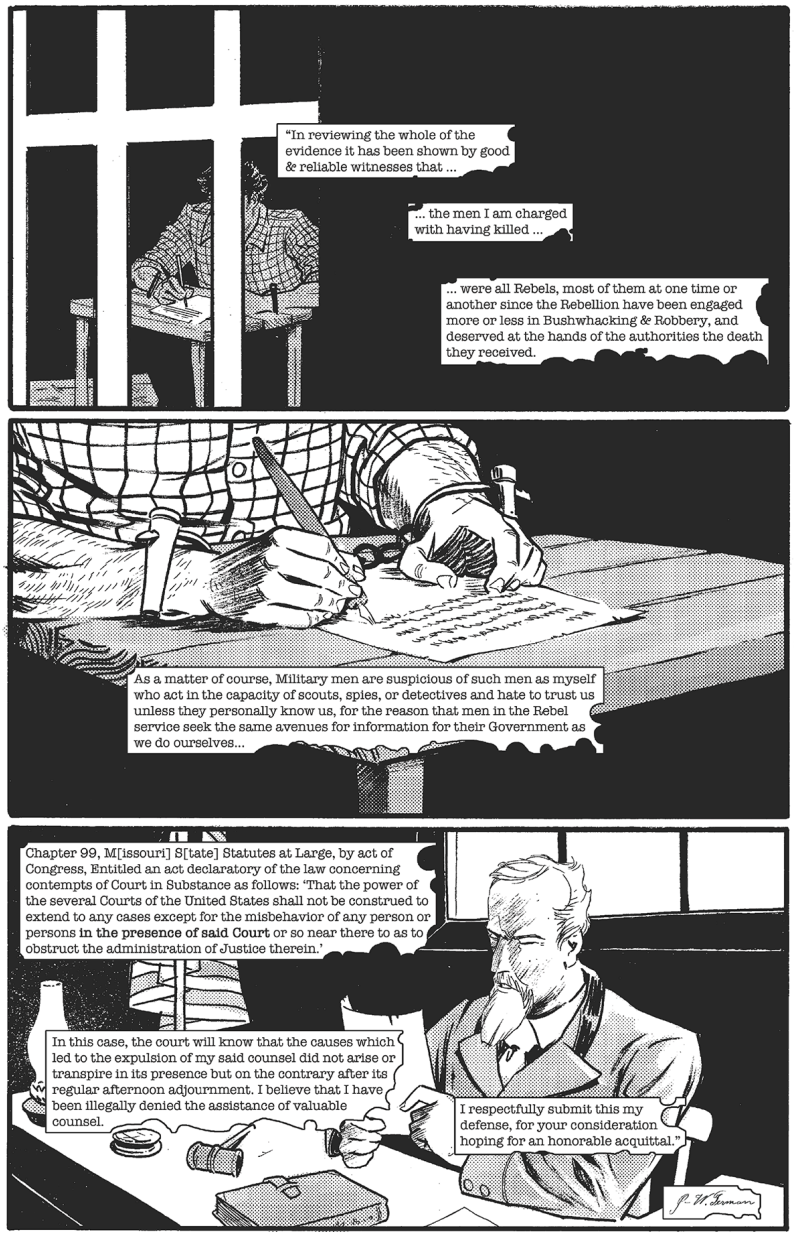
Terman changed strategies again, seeking to prove his long-term employment in the U.S. military. He did so by introducing "the affidavits of Chester Harding Jr. and R. J. Van Horn"—his former handlers.
"Q. Are you acquainted with J W Terman?
A. I am acquainted with him. ... He has acted ... as scout and spy under me when I was in military service in this region [the District of Northwest Missouri] and in the neighborhood of New Madrid, Mo. This was in the spring and summer and fall of 1863.
Q. State what were his general duties as a scout while in your employ.
A. To obtain information of the movements of Rebel bands of Guerrillas and secret organizations hostile to the Government of the United States. To report this information to me and when called upon to accompany expeditions sent out by me to dispose, capture, or kill the offenders.
Q. What was your custom in regard to the treatment of Guerrillas their aiders and abettors?
A. My custom was to exterminate armed Bushwhackers or other outlaws wherever they could be found. Those not found in arms or immediately connected with armed parties were captured, brought in, and tried before a military commission."
CHESTER HARDING JR.
DO YOU KNOW HARRY TRUMAN?
I DO.
STATE WHETHER ... TRUMAN ACTED UNDER YOUR DIRECTION IN A MILITARY CAPACITY.
HE NEVER ACTED UNDER IMMEDIATE AUTHORITY, ONLY WHEN I WAS UPON THE STAFF OF GENERAL EWING ACTING AS PROVOST MARSHAL OF THE DISTRICT OF THE BORDER. HE, TRUMAN WAS ACTING AS A SCOUT AND DETECTIVE.
WHAT WAS THE NATURE OF TRUMAN'S DUTIES?
TO GIVE GENERAL INFORMATION OF THINGS AND THE MOVEMENTS OF GUERRILLAS, GAINING ACCESS TO THEIR CAMPS—TO DISCOVER THEIR PLANS, MOVEMENTS, AND PURPOSES, THE LATTER BEING HIS SPECIAL DUTY.
TO WHOM DID HE REPORT?
TO GENERAL EWING, MYSELF, OR TO THE OFFICERS COMMANDING TROOPS IN THE FIELD AS MOST SPEEDY AND CONVENIENT.
WHAT WAS THE GENERAL POLICY OF THE TREATMENT OF GUERRILLAS AND BUSHWHACKERS IN YOUR DISTRICT?
THAT POLICY WAS EXTERMINATION.
ROBERT J. VAN HORN

5 AUGUST 1864

Judge Porter cross-examined Harding and Van Horn, asking if Terman was "an officer in the military service of the United States," to which they replied "no." Terman's last hope was a postponement...


I/] DESIRE A POSTPONEMENT ... ON ACCOUNT OF THE ABSENCE OF MATERIAL EVIDENCE ...
... A CERTAIN TELEGRAPHIC DISPATCH SENT BY ME TO COL. SANDERSON AND GENERAL ROSECRANS ...
... ALSO FOR THE PURPOSE OF OBTAINING THE AUTHENTICATED REPLIES RECEIVED BY ME FROM BOTH GENERAL ROSECRANS AND COL. SANDERSON ...
... THAT ESTABLISHES MY AUTHORITY.


THE PRISONER AND HIS COUNSEL WERE BOTH DISTINCTLY INFORMED BY THE JUDGE ADVOCATE EARLY IN THE PROCEEDINGS OF THIS CASE. THAT ALL TELEGRAPHIC DISPATCHES INTRODUCED BY THE PRISONER AS EVIDENCE MUST BE DULY AUTHENTICATED.
THAT THE PRISONER HAS NOT USED DUE DILIGENCE TO ACCOMPLISH THIS PURPOSE. FROM THE FACT THAT THERE IS NOTHING TO SHOW THAT HE HAS TAKEN A SINGLE STEP IN THIS DIRECTION ...
AND THAT THE TELEGRAPHIC DISPATCHES REFERRED TO CANNOT BE MATERIAL IN THE TRIAL OF THE CASE BECAUSE OF THE FACT THAT GENL. ROSECRANS AND COL. SANDERSON HAVE BOTH SWORN THAT THEY DID NOT DIRECTLY OR INDIRECTLY AUTHORIZE THE PRISONER.
YOUR APPLICATION FOR A POSTPONEMENT IS NOT GRANTED. COMMISSION ... ADJOURNED.


"In reviewing the whole of the evidence it has been shown by good & reliable witnesses that ...
... the men I am charged with having killed ...
... were all Rebels, most of them at one time or another since the Rebellion have been engaged more or less in Bushwhacking & Robbery, and deserved at the hands of the authorities the death they received.
As a matter of course, Military men are suspicious of such men as myself who act in the capacity of scouts, spies, or detectives and hate to trust us unless they personally know us, for the reason that men in the Rebel service seek the same avenues for information for their Government as we do ourselves...
Chapter 99, M[issouri] S[tate] Statutes at Large, by act of Congress, Entitled an act declaratory of the law concerning contempts of Court in Substance as follows: 'That the power of the several Courts of the United States shall not be construed to extend to any cases except for the misbehavior of any person or persons in the presence of said Court or so near there to as to obstruct the administration of Justice therein.'
In this case, the court will know that the causes which led to the expulsion of my said counsel did not arise or transpire in its presence but on the contrary after its regular afternoon adjournment. I believe that I have been illegally denied the assistance of valuable counsel.
I respectfully submit this my defense, for your consideration hoping for an honorable acquittal."
J. M. Tarman

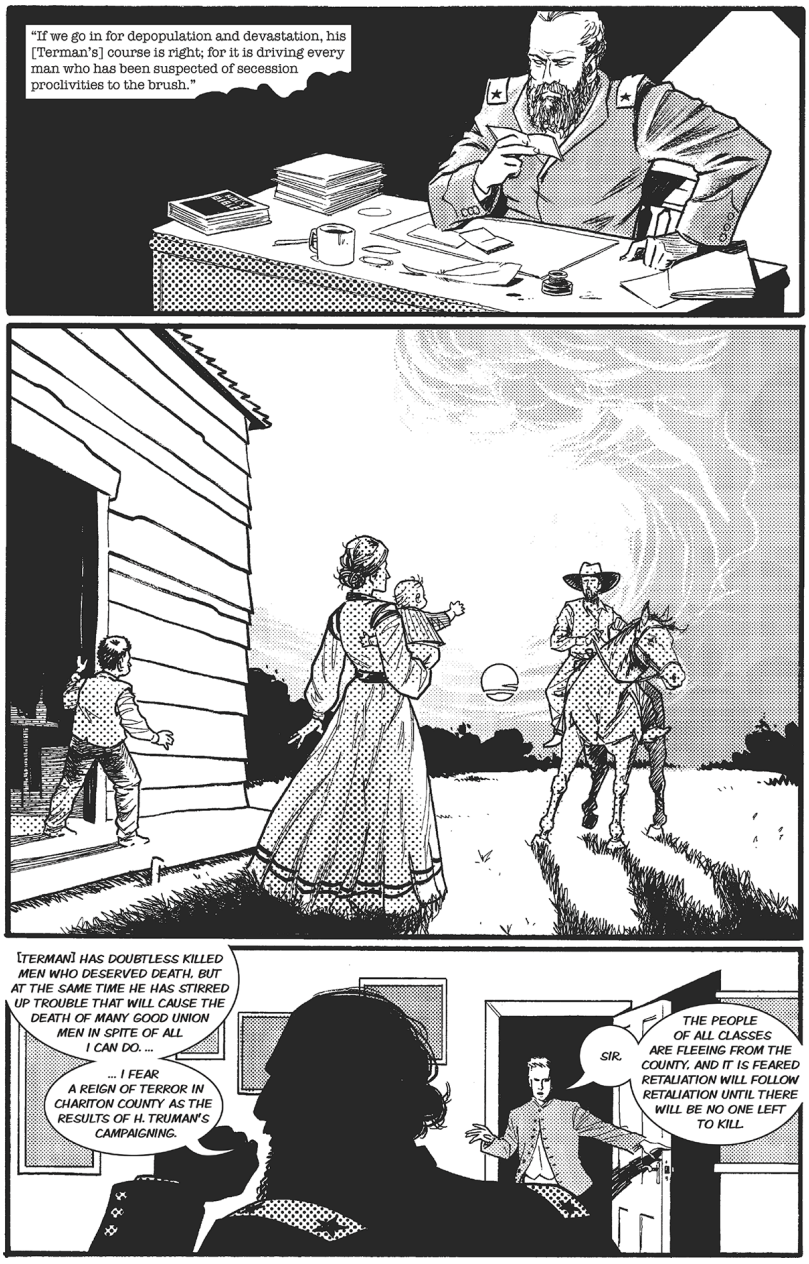
The judge concluded the trial with this proclamation:
ABSOLUTELY AND HOPELESSLY HAS HE [TERMAN] FAILED TO SHOW, THAT HE HAD ONE PARTICLE OF AUTHORITY, DIRECTLY OR INDIRECTLY, FROM ANY ONE, TO DO ANY ACT, WITH THE PERPETRATION OF WHICH, HE HERE STANDS CHARGED. HIS OWN WITNESSES GENL. ROSECRANS, GENERAL FISK AND COL. SANDERSON ...
... MOST POSITIVELY SWEAR, THAT THEY NOT ONLY DID NOT GIVE HIM ANY AUTHORITY TO DO THESE ACTS ...
... BUT THAT THEY NEVER EVEN CONTEMPLATED OR DREAMED OF HIS DOING ANYTHING OF THE KIND. THUS MAKING THE PRISONER ALONE RESPONSIBLE FOR DEVISING, PLANNING, CONCOCTING, AND CARRYING OUT HIS HELLISH DESIGNS.
THE EVIDENCE AGAINST THE PRISONER WILL NOT ADMIT OF DOUBT. IT IS POSITIVE IN ITS NATURE. EVERY LINK IN THE CHAIN IS PERFECT. AND IT BOLDLY DEFIES CONTRADICTION.
THE PLEA THAT HE WAS JUSTIFIED IN THE COMMISSION OF THESE ACTS BECAUSE HE SUPPOSED HE HAD REASON TO KNOW THAT HIS VICTIMS WERE DISLOYAL IS ...
... FALSE IN FACT; AND IF CARRIED OUT, IS UTTERLY SUBVERSIVE OF ALL LAW, AND WOULD RESULT IN HURLING THE WHOLE LAND INTO [HOPELESS] ANARCHY. NO MAN HAS A RIGHT TO SET HIMSELF UP AS A JUDGE OF HIS NEIGHBOR'S CONDUCT, AND DETERMINE WHETHER THAT NEIGHBOR SHALL LIVE OR DIE.
Authority
Action
The commission ruled Terman guilty of seven counts of murder, three counts of robbery, seven counts of larceny, and one count of arson. Consequently, they sentenced Terman "to be hung by the neck until he is dead."

CHAPTER 6

THE DOWNWARD SPIRAL

While Terman stood trial, civilians in Chariton County lived through the aftermath of his reign.

The events on the following pages all occurred in central Missouri during Terman's imprisonment, trial, and alcohol withdrawal.


"If we go in for depopulation and devastation, his [Terman's] course is right; for it is driving every man who has been suspected of secession proclivities to the brush."
[TERMAN] HAS DOUBTLESS KILLED MEN WHO DESERVED DEATH. BUT AT THE SAME TIME HE HAS STIRRED UP TROUBLE THAT WILL CAUSE THE DEATH OF MANY GOOD UNION MEN IN SPITE OF ALL I CAN DO. ...
... I FEAR A REIGN OF TERROR IN CHARITON COUNTY AS THE RESULTS OF H. TRUMAN'S CAMPAIGNING.
SIR.
THE PEOPLE OF ALL CLASSES ARE FLEEING FROM THE COUNTY. AND IT IS FEARED RETALIATION WILL FOLLOW RETALIATION UNTIL THERE WILL BE NO ONE LEFT TO KILL.

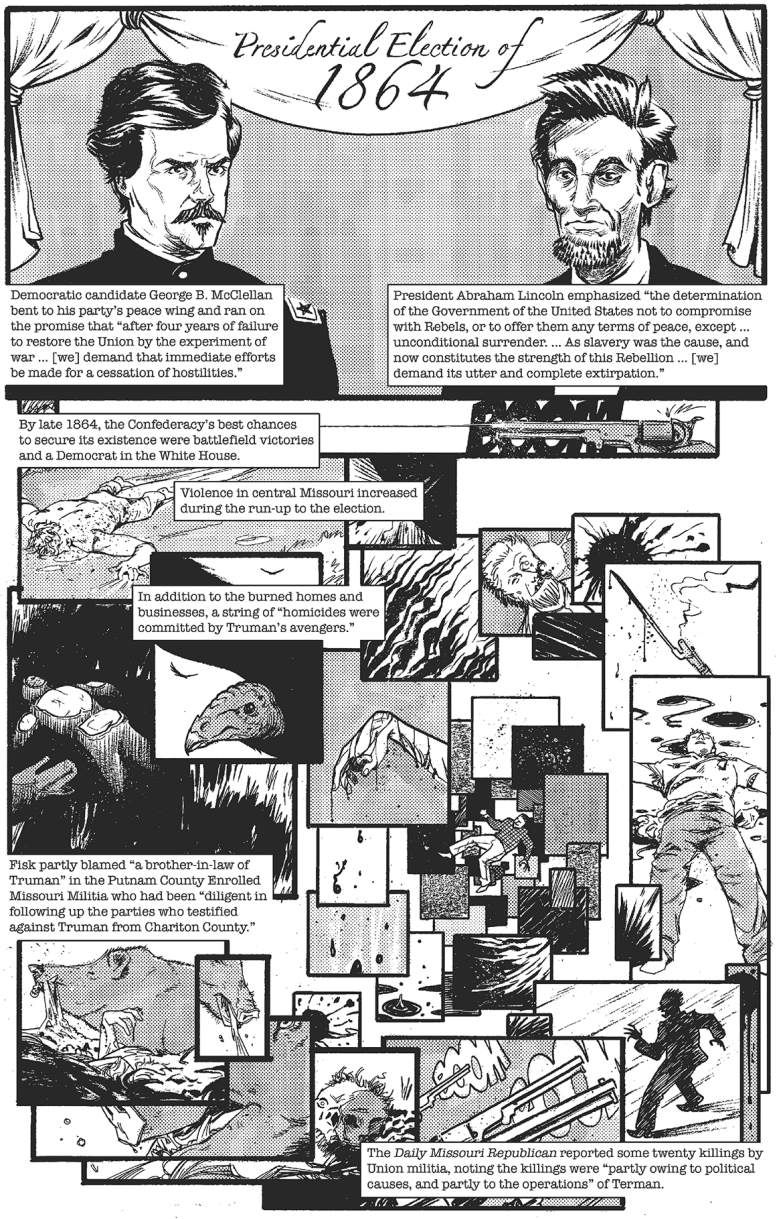
Back in Brookfield, where Terman left his "plunder"...
[YOU HAVE THE] OPPORTUNITY OF ENLISTING [IN THE UNITED STATES COLORED TROOPS.]
The Emancipation Proclamation's promise of freedom did not extend to slave states that stayed loyal to the Union at the war's outbreak—like Missouri. Add in the confusion of U.S. soldiers arresting U.S. soldiers (and some successfully escaping arrest during this scene!), and it's easier to understand E. J. Crandall's report that "the provost-marshal got, I think, 2 recruits from the negro brigade brought in by H. Truman. The balance have left."
THIS SYSTEM OF WARFARE ... IS A DISGRACE TO OUR CHRISTIAN CIVILIZATION ... THAT IS WHAT IT IS AND NOTHING ELSE. ... I FEAR THE CHAPTER IS A DARK ONE, AND THAT MANY GOOD CITIZENS HAVE BEEN KILLED AND OTHERS DRIVEN TO THE BRUSH BY THE CONDUCT OF MEN FROM OUR RANKS. NO ONE CAN REGRET THIS MORE THAN MYSELF. ...
... WHAT WILL HE [TERMAN] BE AND DO FOR THE FUTURE?

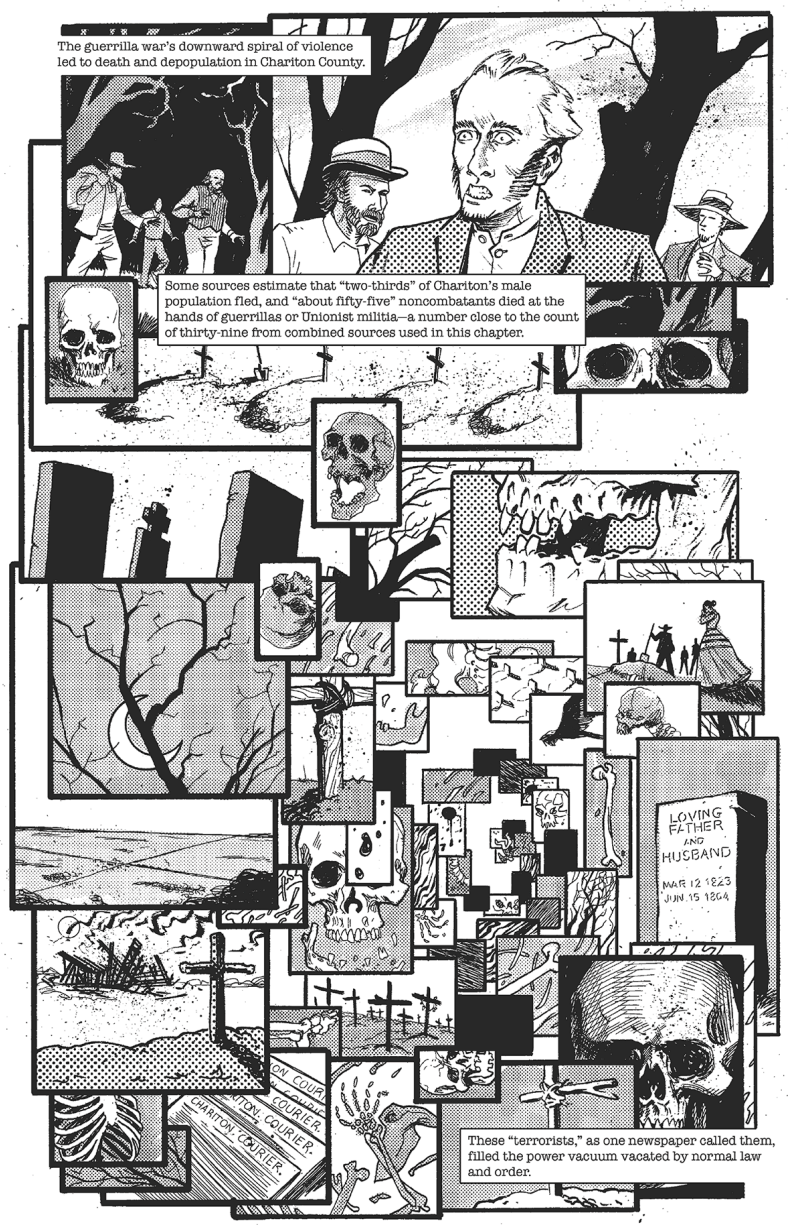
Fisk did not have to wait long for an answer. Despite his efforts to establish peace in Chariton County by sending in more troops...
... a **downward spiral** of violence started the same night he mused about Terman's impact on Missouri's future: bushwhackers retaliated by murdering four men. ...
... Elizabeth Jenson was at the house where the guerrillas slayed her husband, brother, and brother-in-law. The killers told her they committed the crimes "for what Truman did."

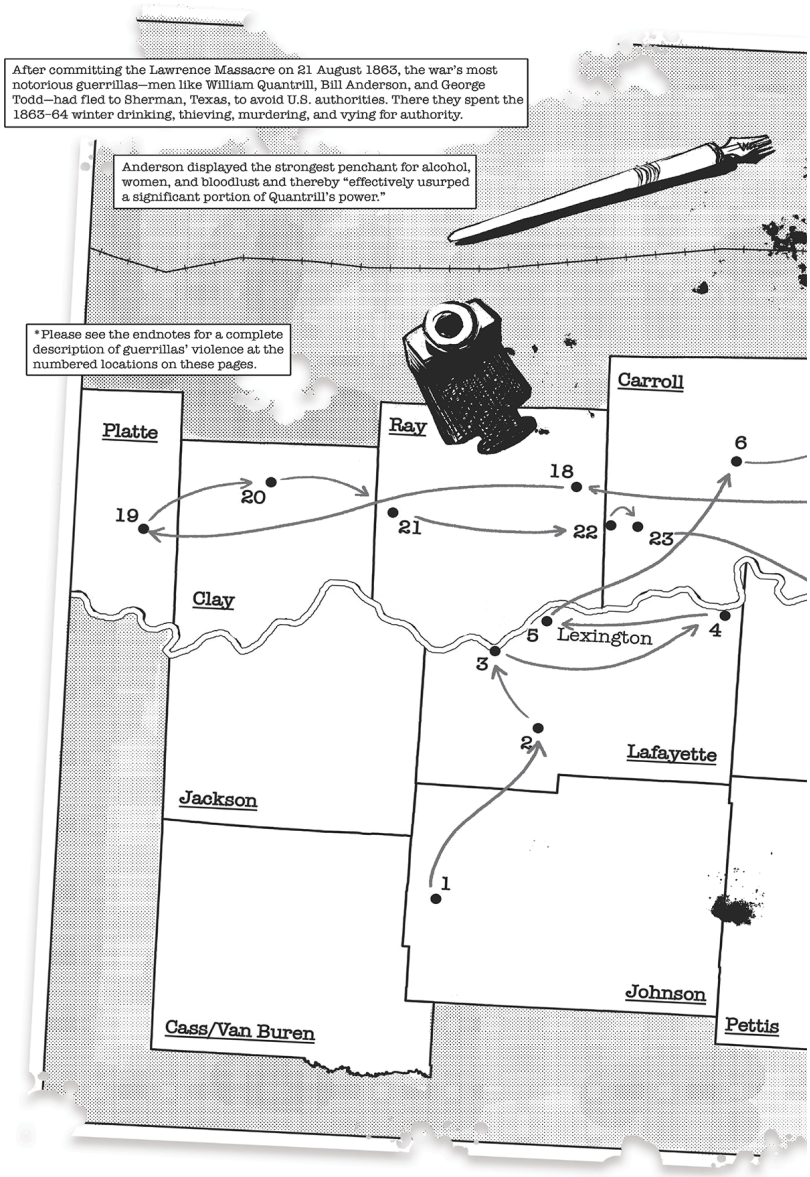
Guerrillas struck again two nights later, killing four more men.
KA-CHOK
Many of the victims up to this point were of German descent—stereotyped in Missouri as radical unionists.
BOOM!
Revenge, racism, and political partisanship combined to produce violence.

Union militias sought retribution for guerrillas' new string of killings. Over the next five months, the "dwellings of nearly every citizen against Truman ha[d] been burned down."
STOCK WAREHOUSE
FLICK
The *Daily Missouri Republican* reported five homes, a tavern, and a warehouse torched by "militia in the Federal service, from Putnam and Sullivan counties."

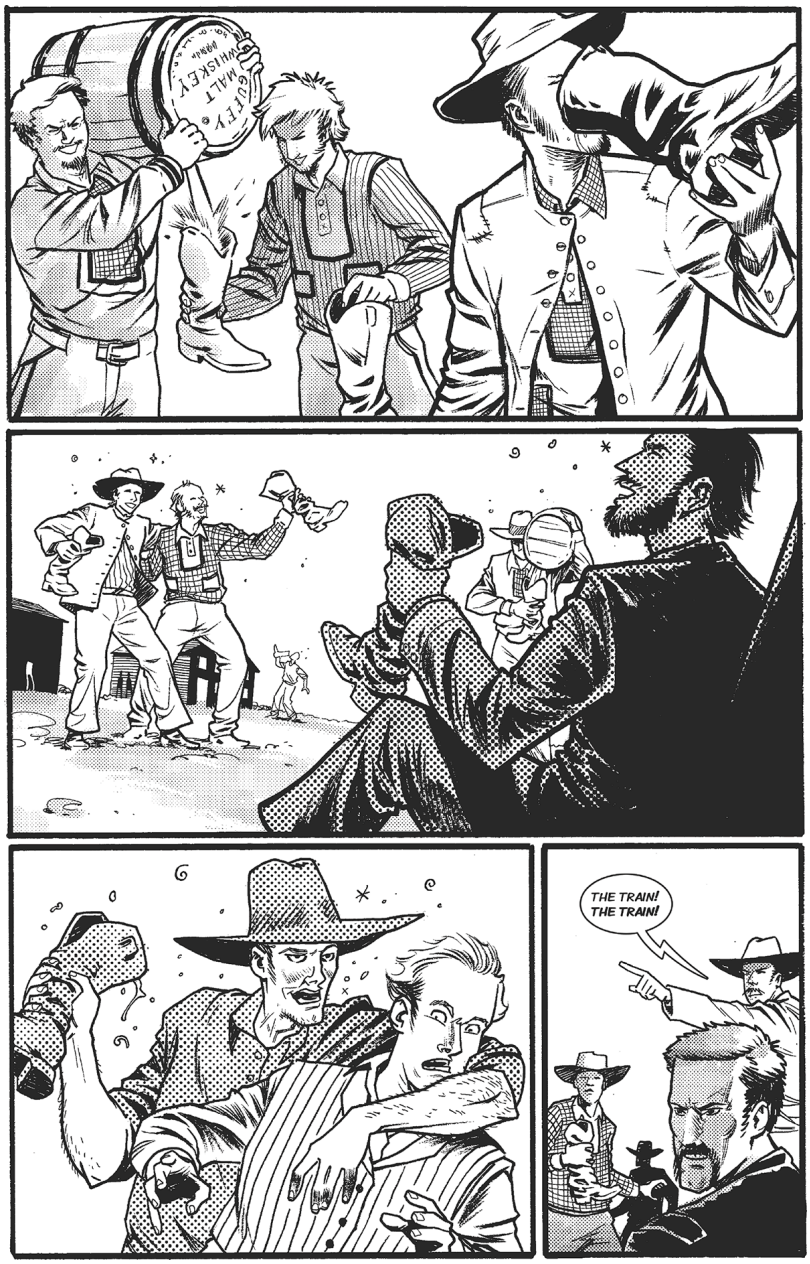
In September 1864, three months after Terman targeted civilians from Keytesville, guerrillas under George Todd and John Thrailkill sacked the same town.
Todd feigned much larger numbers to secure a surrender from the U.S. garrison there without firing a shot.
After U.S. soldiers forfeited their weapons, the guerrillas burned the courthouse and murdered two men—the sheriff, Robert Carman, and the civilian William Young (who operated with Terman in June).

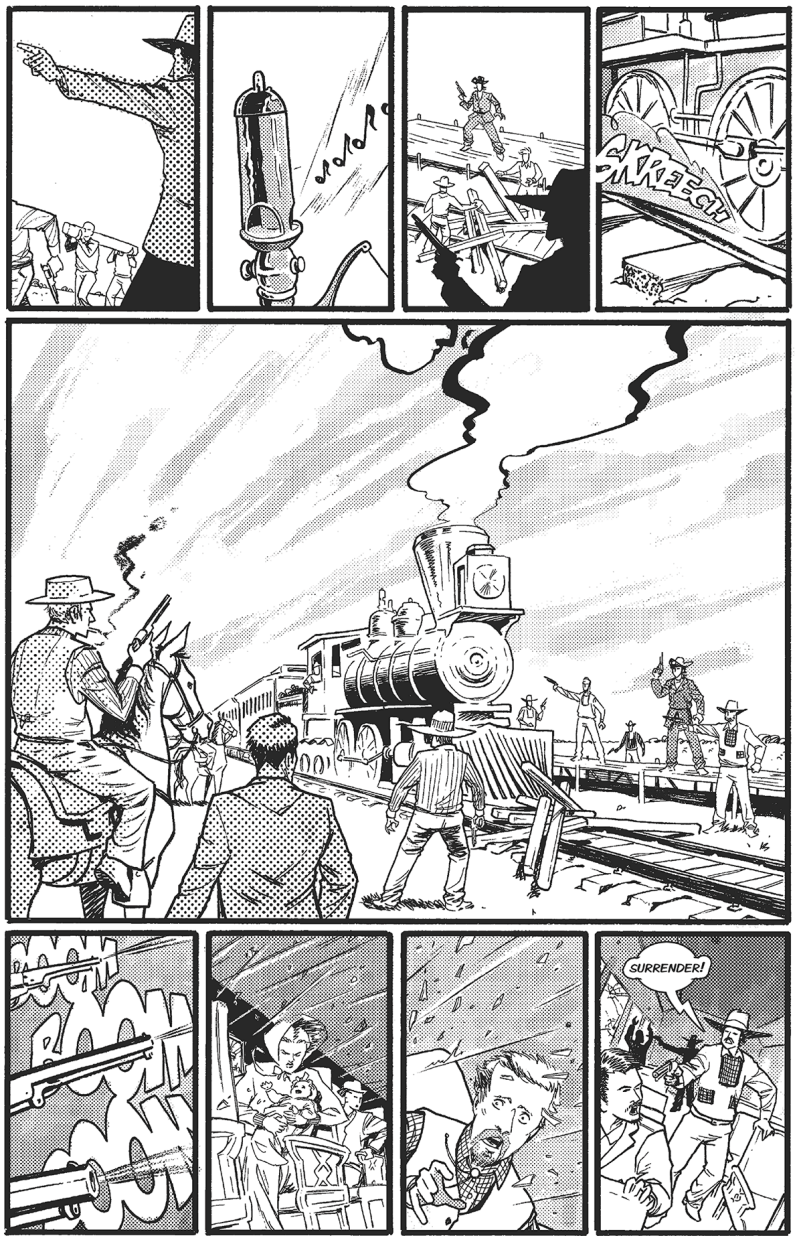

Presidential Election of 1864
Democratic candidate George B. McClellan bent to his party's peace wing and ran on the promise that "after four years of failure to restore the Union by the experiment of war ... [we] demand that immediate efforts be made for a cessation of hostilities."
President Abraham Lincoln emphasized "the determination of the Government of the United States not to compromise with Rebels, or to offer them any terms of peace, except ... unconditional surrender. ... As slavery was the cause, and now constitutes the strength of this Rebellion ... [we] demand its utter and complete extirpation."
By late 1864, the Confederacy's best chances to secure its existence were battlefield victories and a Democrat in the White House.
Violence in central Missouri increased during the run-up to the election.
In addition to the burned homes and businesses, a string of "homicides were committed by Truman's avengers."
Fisk partly blamed "a brother-in-law of Truman" in the Putnam County Enrolled Missouri Militia who had been "diligent in following up the parties who testified against Truman from Chariton County."
The *Daily Missouri Republican* reported some twenty killings by Union militia, noting the killings were "partly owing to political causes, and partly to the operations" of Terman.

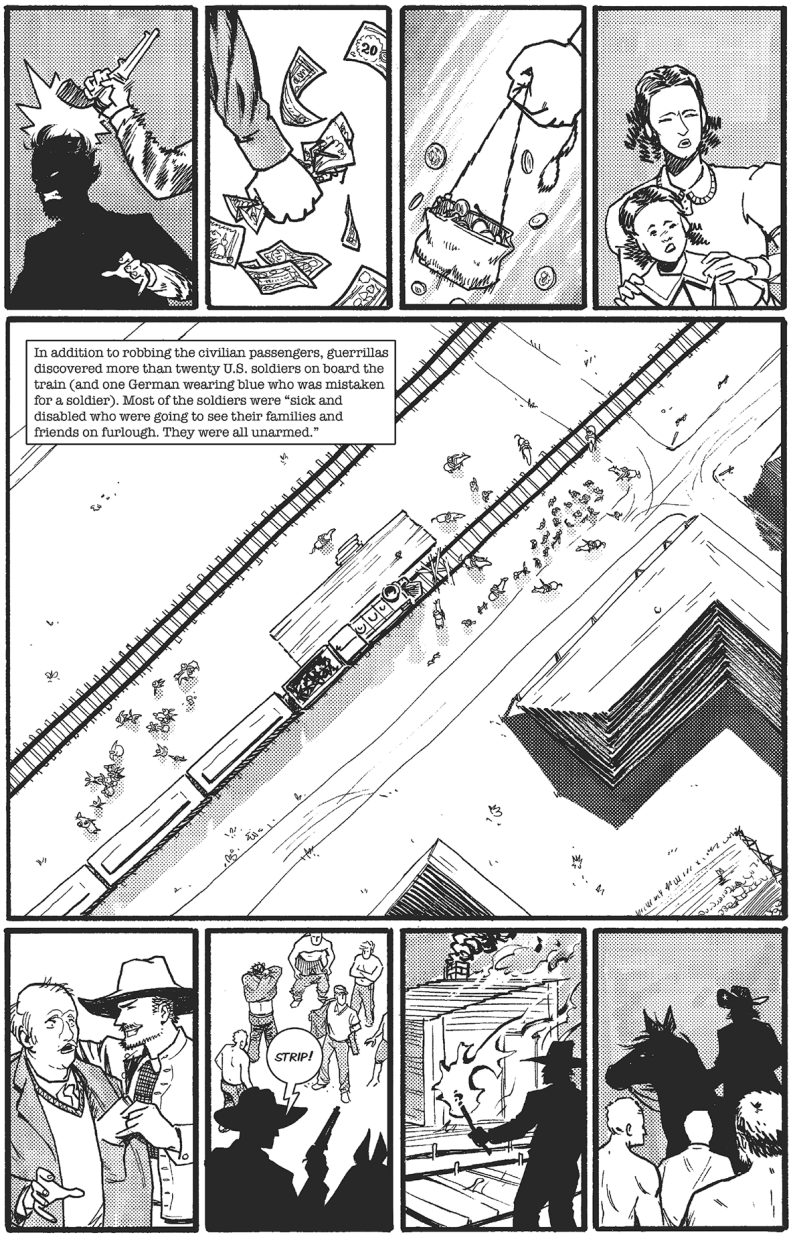

The guerrilla war's downward spiral of violence led to death and depopulation in Chariton County.
Some sources estimate that "two-thirds" of Chariton's male population fled, and "about fifty-five" noncombatants died at the hands of guerrillas or Unionist militia—a number close to the count of thirty-nine from combined sources used in this chapter.
LOVING FATHER AND HUSBAND
MAR 12 1823
JUN 15 1864
CHARITON COURIER.
These "terrorists," as one newspaper called them, filled the power vacuum vacated by normal law and order.

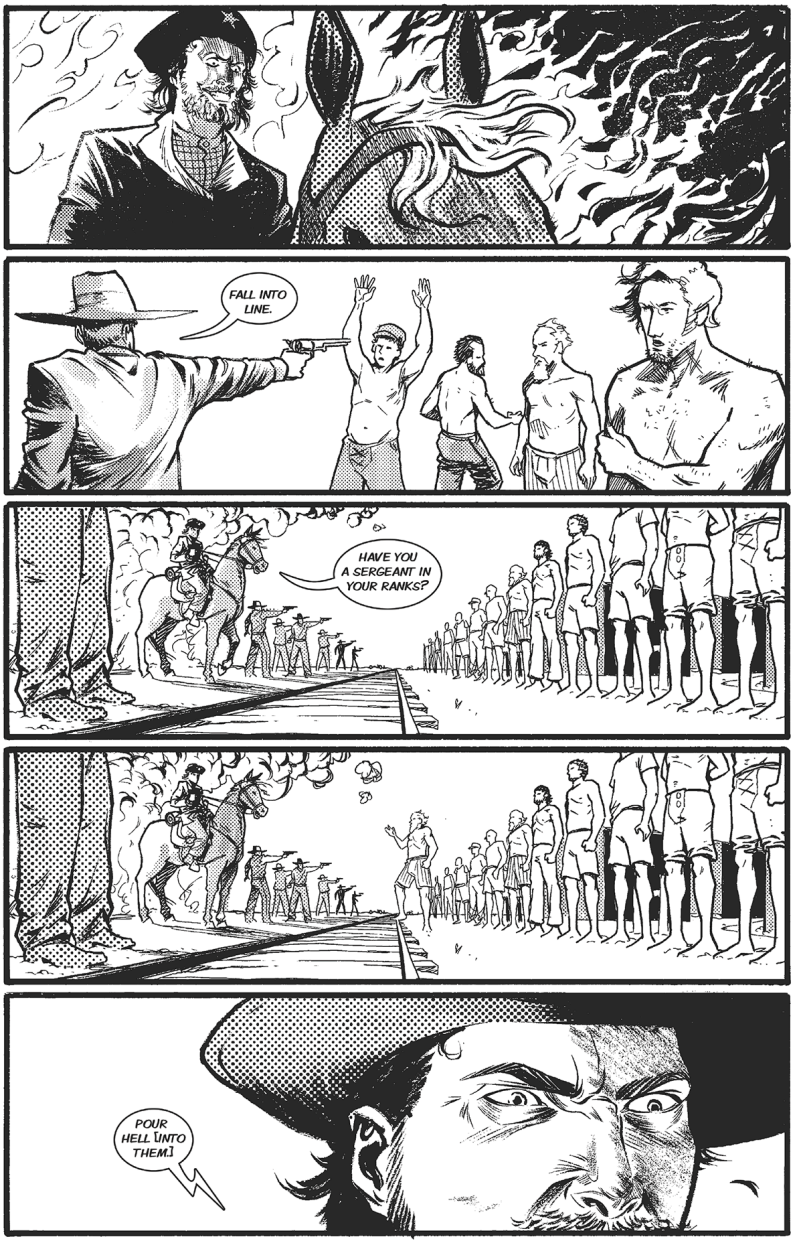

After committing the Lawrence Massacre on 21 August 1863, the war's most notorious guerrillas—men like William Quantrill, Bill Anderson, and George Todd—had fled to Sherman, Texas, to avoid U.S. authorities. There they spent the 1863–64 winter drinking, thieving, murdering, and vying for authority.
Anderson displayed the strongest penchant for alcohol, women, and bloodlust and thereby "effectively usurped a significant portion of Quantrill's power."
*Please see the endnotes for a complete description of guerrillas' violence at the numbered locations on these pages.
Platte
Ray
Carroll
Clay
Lexington
Jackson
Lafayette
Johnson
Pettis
Cass/Van Buren
1
2
3
4
5
6
18
19
20
21
22
23

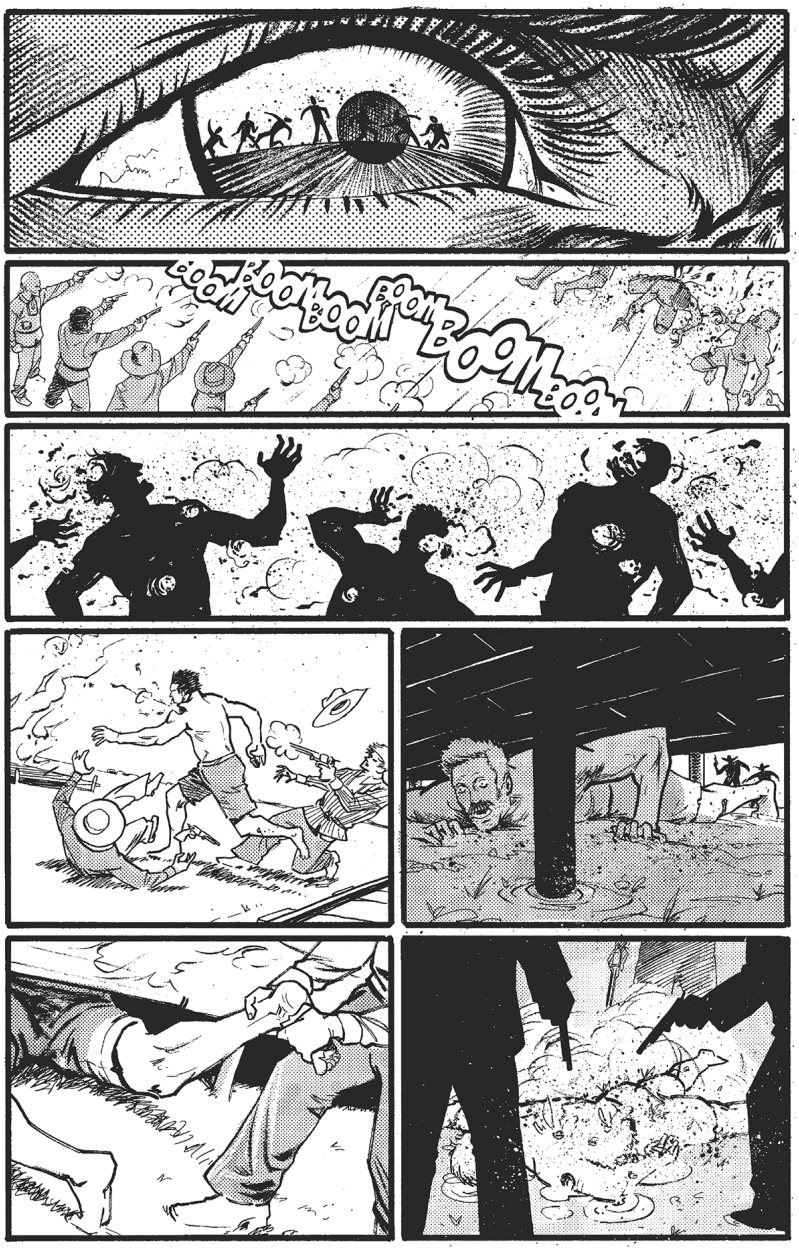
CENTRALIA, MISSOURI
27 SEPTEMBER 1864
MORNING
BOOM
SNEAD DRY GOODS
FLOUR
RIDING BOOTS
RIDING BOOTS
GUFFY MALT WHISKEY
GUFFY MALT WHISKEY
GUFFY MALT WHISKEY

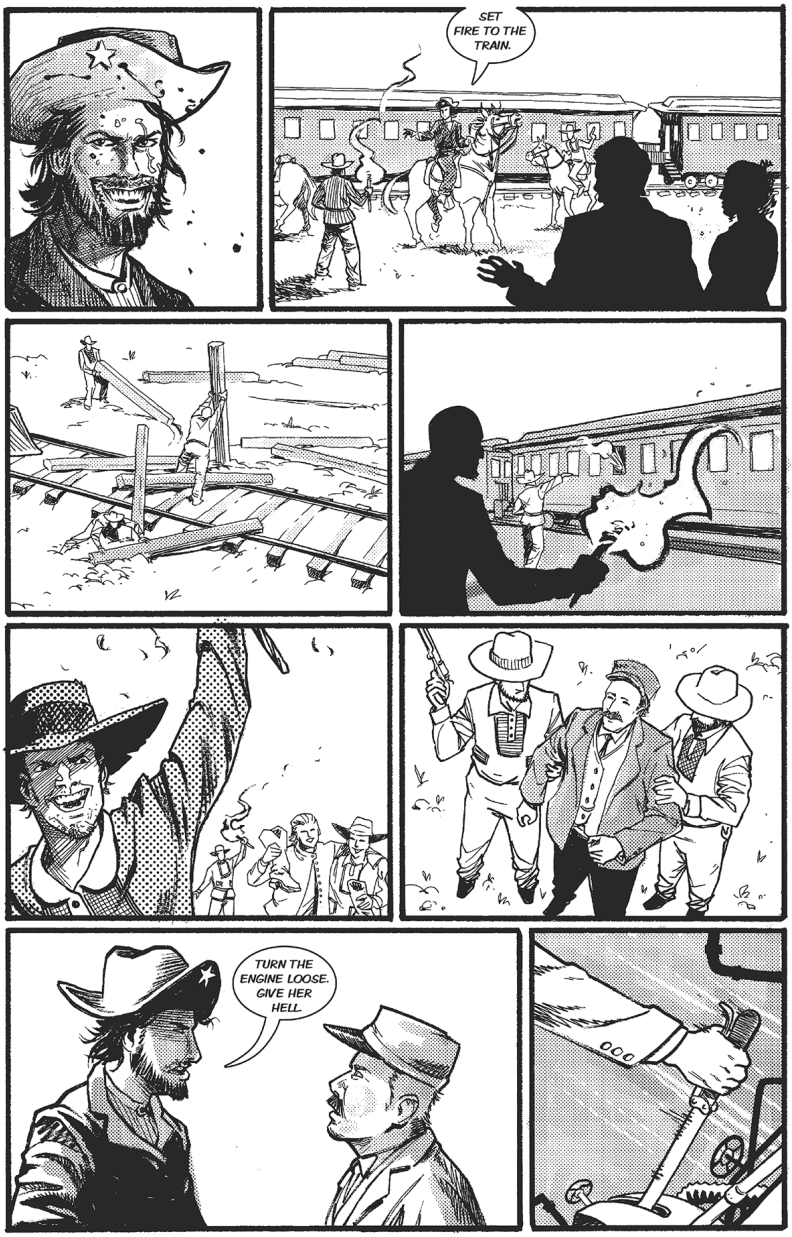

MALT
WHISKEY
THE TRAIN!
THE TRAIN!

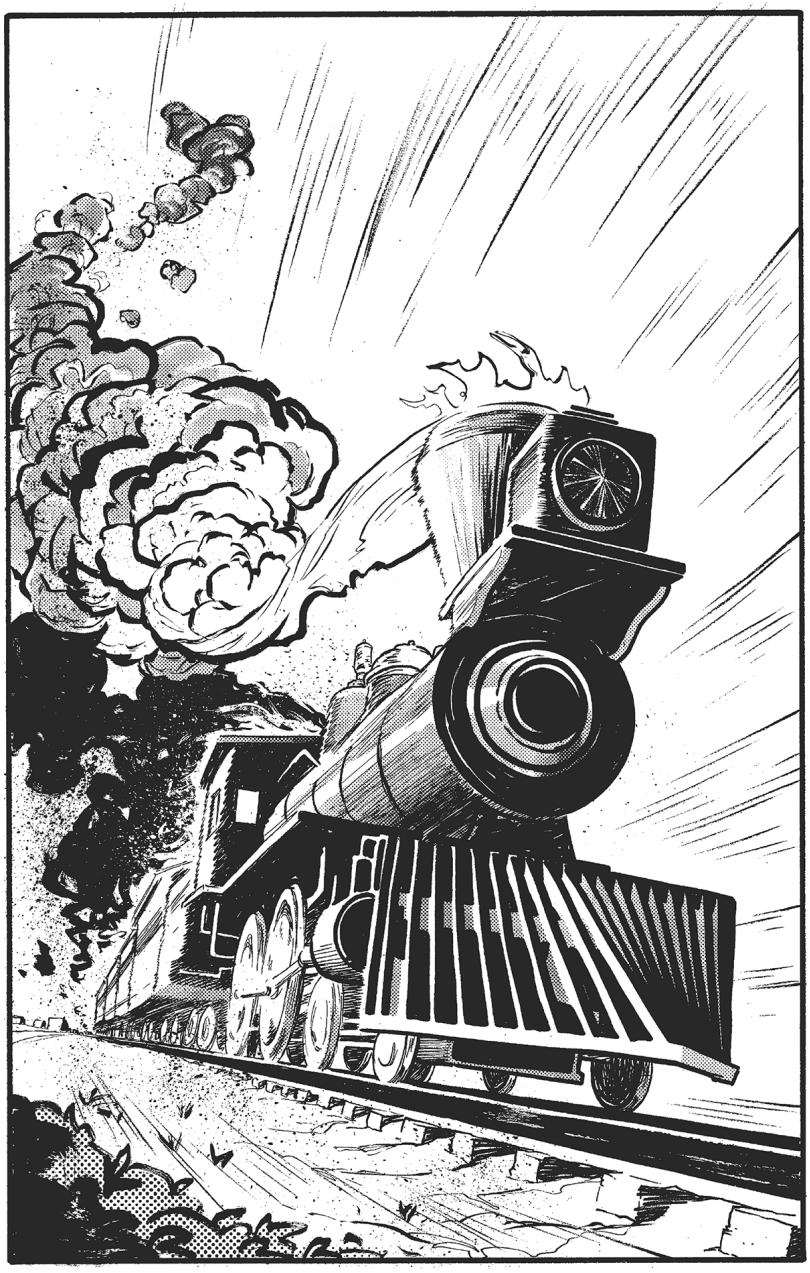

SCREECH
SURRENDER!

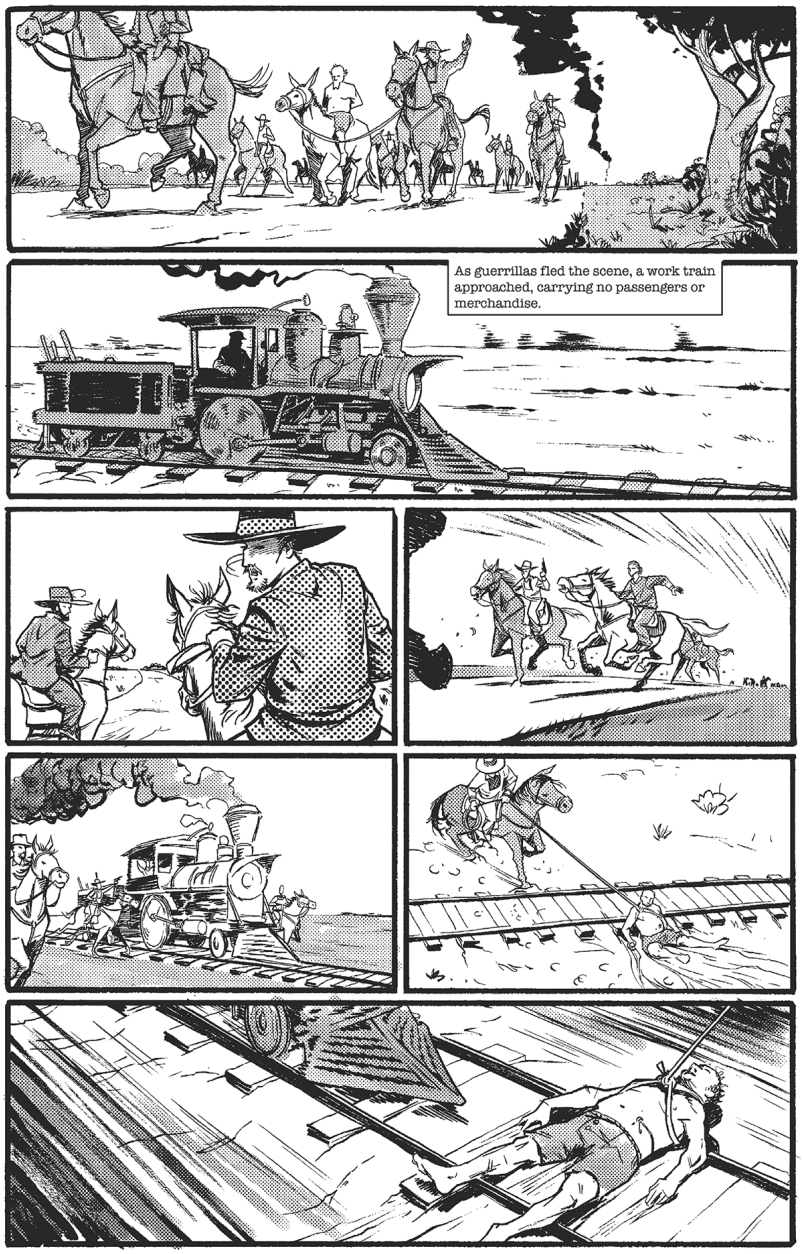

In addition to robbing the civilian passengers, guerrillas discovered more than twenty U.S. soldiers on board the train (and one German wearing blue who was mistaken for a soldier). Most of the soldiers were "sick and disabled who were going to see their families and friends on furlough. They were all unarmed."
STRIP!

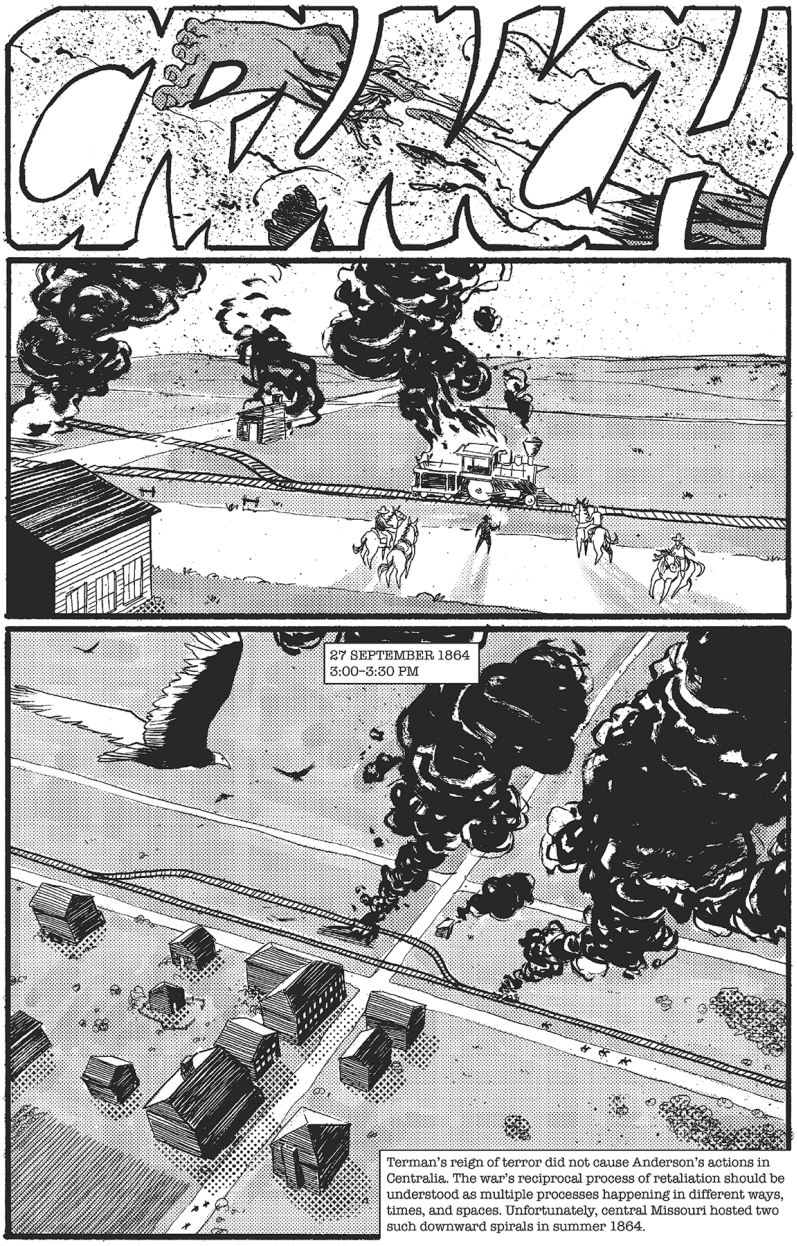

FALL INTO LINE.
HAVE YOU A SERGEANT IN YOUR RANKS?
POUR HELL [INTO THEM.]


BOOM BOOM BOOM BOOM BOOM BOOM


SET FIRE TO THE TRAIN.
TURN THE ENGINE LOOSE. GIVE HER HELL.




As guerrillas fled the scene, a work train approached, carrying no passengers or merchandise.



Terman's reign of terror did not cause Anderson's actions in Centralia. The war's reciprocal process of retaliation should be understood as multiple processes happening in different ways, times, and spaces. Unfortunately, central Missouri hosted two such downward spirals in summer 1864.

CHAPTER 7

THE CONCLUSION

Despite the death sentence handed down to Terman by the military commission and the continued violence in central Missouri, Terman did not hang. In fact, he was barely punished at all. Three months after the military commission's sentence, Major General Rosecrans saved Terman's life. Citing the "indefinite nature" of Terman's orders, the "color of authority"

justifying Terman's actions, and "technical errors" in the commission proceedings, Rosecrans "disapproved" of Terman's sentence and confined him to a military prison. The War Department went a step further in January 1865: they concluded that Rosecrans's disapproval "terminated the proceedings against the prisoner tried" and ordered Terman's immediate release. Thus, for all the murders, robberies, and arson depicted in chapter 4, one man served six months' jail time.[1]

The same month Terman left prison, Major General Grenville M. Dodge took Rosecrans's job and reemployed Terman. On 23 January 1865, Dodge reinserted Terman in central Missouri under the oversight of "a most reliable officer" with "the simple purpose of securing the surrender of the guerrillas." It did not take long for Terman to test his authority. On 16 May he wrote the new St. Louis provost marshal general that, if given the power to grant pardons to guerrillas, he could use the pardons to secure guerrillas' surrender and "then kill them all." Things never got that far. On 3 June Terman's handlers reported that he had yet to "accomplish anything." Three days later, Dodge "was informed that . . . Truman was acting badly"; Dodge then had Terman arrested and put under custody of the St. Louis provost marshal general. Terman soon left the provost marshal's custody, and a Howard County newspaper reported him "drunk and disorderly" in central Missouri in August 1865.[2]

A decades-long paper trail spanning newspapers, census records, and the Missouri state penitentiary shows that Terman's postwar life proved as checkered as his military career. In January 1866, he was arrested for passing counterfeit money and sentenced to six years in prison. Missouri governor Joseph W. McClurg pardoned Terman after he had served a little over half of the sentence. In 1879, Terman was arrested again, this time for a multistate land fraud scheme that he concocted with his second wife and his old partner in crime from the war, James Brown Hartmen. As late as 1896, Iowa newspapers reported that one "J. W. Turman" secured "over eighty patents" in the "scientific and mechanical" industries, including one that allegedly refined "rancid butter and lard." In 1901, Terman underwent his fourth operation "for gangrene in the leg." He does not appear in the 1910 census, having likely died. A confidence man until the very end, Terman's postwar life shows that he approached war the same way he approached peace: as an opportunity to fool people long enough to get what he wanted.[3]

Terman's evasion of justice exemplifies Francis Lieber's hesitation to draw up laws of irregular war. In Terman, the U.S. military simultaneously condoned and indicted its counterinsurgency methods. We can criticize or justify their means to an end, but ultimately

they won the war. Perhaps it is more beneficial to admit that the thing legitimating violence is not elaborate laws of war, but success.[4]

* * *

Sadly, Terman's victims' families faced more trauma after his reign of terror in June 1864. Six months after Ephraim Clark and three others killed Peter Fox, Lieutenant William B. Selby of the 9th Cavalry MSM—the same unit that operated with and then helped convict Terman—arrested Fox's wife, daughter, sister, and niece. A provost marshal held the four women—Isabella and Mellisa Fox and America and Josephine Huckshorn—at Macon City for twenty-five days before transferring them to St. Louis's Gratiot Street Prison on 25 January 1865. The women waited another three days before heading to the office of the provost marshal general "for examination."

The military produced circumstantial evidence on the Fox and Huckshorn women: statements from eleven Keytesville citizens—only some of whom claimed to personally know the families—describing the women's "reputation[s]." Accusations ranged from claims that the women participated in guerrillas' domestic supply line (making shirts, feeding and harboring bushwhackers) to more personal attacks ("keeping a house of ill fame [a brothel], of mingling with bushwhackers, entertaining them . . . attending dances with them and of being intimately associated with them").

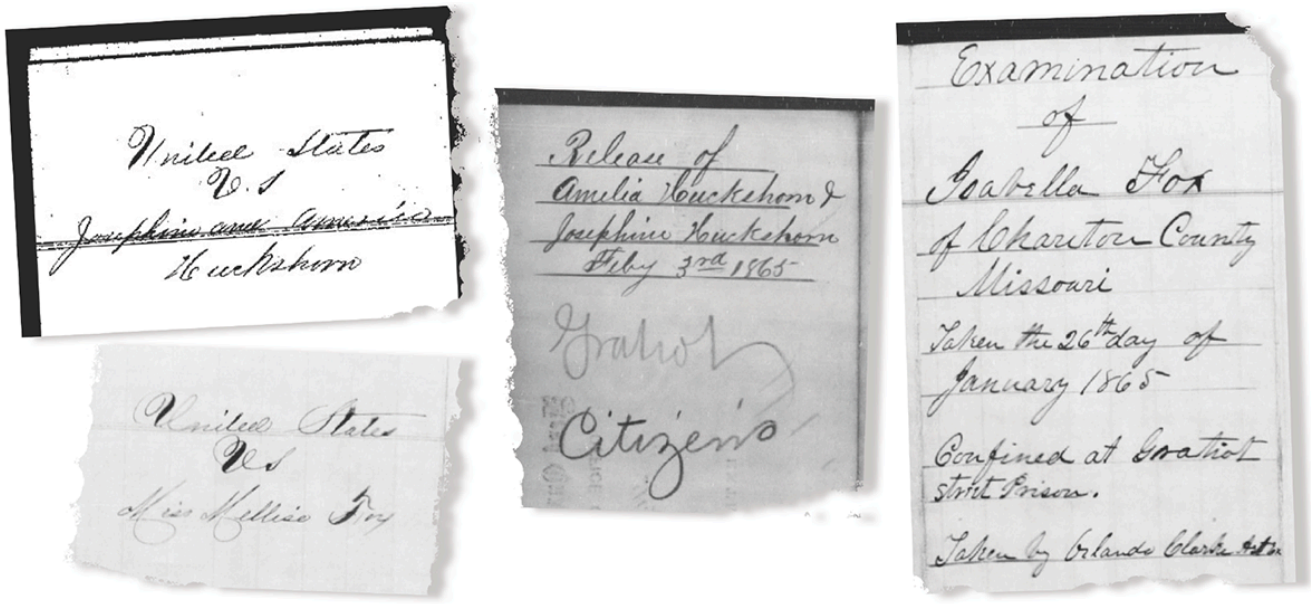
The women of both families offered very different rebuttals. Isabella Fox admitted to serving guerrillas breakfast and traveling with them "against [her] will" because she "was afraid they would take my horses." Isabella ended her statement by saying that "I have been a Southern Sympathizer but for the past year 'since I have got light,' I am Loyal, and desire the South put down and the authority of the U. States Govt restored over them." Isabella's daughter, Mellisa, admitted to making shirts for guerrillas only because they paid her seven dollars apiece. More ominously, Mellisa stated she rode on the same horse with a guerrilla because she "was afraid that if I refused he would insult me"—common nineteenth-century language used to describe sexual assault. Historian Michael Fellman called Isabella's and Mellisa's justifications for assisting guerrillas "survival lying"—the act of complying with whatever power was present (Union, Confederate, or guerrilla) to preserve one's property or life.

The Huckshorns offered two lines of defense. First, they denied ever being southern sympathizers—Josephine stated "I have been strictly loyal since the beginning of the rebellion and am called a radical by the residents of Keytesville." This defense included denying "assist[ing] or aid[ing] rebels or bushwhackers directly or indirectly." To further emphasize their loyalty, America Huckshorn confirmed that her son, Edward, served in the 42nd Missouri Infantry. Edward guarded Missouri railroads from guerrilla attacks until 10 November 1864, when his regiment operated "against guerrillas" and posted "garrison duty" in southern Tennessee and northern Alabama. In a terrible irony, he fought guerrillas while his mother and sister were arrested for aiding them.

Second, America offered an explanation for testimony placing Confederate soldiers and guerrillas at her family's homestead: guerrillas followed in the wake of Confederate general Sterling Price's invading army in fall 1864 and targeted Unionists like her. Her story is a common one among families that lay in the trail of an opposing army. She stated:

> two of [Bloody Bill] Anderson's men came to my house threatened to shoot me and started to burn my house and ordered my daughter to get ready to go with them as they were going to take her to Brunswick and put her in prison one of them came and shot at me and robbed my house and compelled

me and my children to lay in the brush all night. . . . I think they were sent there by rebels because I was Union.



On 7 February 1865, the St. Louis provost marshal released the Fox women after they had taken "the Oath of Allegiance" and because of "the testimony against them being insufficient to convict." Similarly, the marshal released the Huckshorn women the same week because "the evidence in their cases prov[ed] their undoubted loyalty." Federal censuses show that both Mellisa Fox and Josephine Huckshorn remarried and lived a farm life until their deaths. Isabella Fox and America Huckshorn led similar postwar lives, although they never remarried. Goldie Ann (Fox) Christian, a Fox family descendant, still tends Peter Fox's gravestone. When contacted for this book, she graciously shared her research and photographs of her ancestors and stated that "I can't change my family's history; however, I can learn from that history."

Stories like those of the Fox and Huckshorn families remind us that the guerrilla conflict "touched the lives of untold numbers of southern civilians and their communities. In much of the South, it was more than just part of the larger war; it was the war itself." These families put a man in the conventional army, interacted with regular cavalry units and a U.S. detective, suffered violence from their neighbors, and were targeted and jailed by provost marshals. They interacted with every facet of the military machine, and in every possible battle space.[5]

* * *

Bloody Bill Anderson had no postwar experience; he met the same fate as so many of his victims at Centralia. Lieutenant Colonel Samuel P. Cox and three hundred men of the 33rd and 51st Missouri Militia successfully ambushed Anderson's guerrillas outside Albany, Missouri. After receiving a tip on Anderson's location from a female civilian, Cox set up a firing line and then sent an advance attachment to engage Anderson and fake a hasty retreat. The guerrillas pursued, charging straight into Cox's line. Two bullets hit Anderson in the head. Cox's men "put Anderson's corpse on display in the county courthouse" before hiring a dentist to

photograph the body. They "cut off the ring finger of the left hand to obtain the ring" and then buried the body in a coffin. Militiamen "spat and urinated on the grave" the same night.[6]

Lost Cause propaganda painted Anderson as a brutal yet justified avenger. Historians in the 1980s and 1990s told Anderson's story in a way that warned of the savagery that lies underneath the surface of all human beings, requiring only a war to take shape. They concluded that "Anderson was not unique . . . his spirit still lives and will do so until the end of time."[7]

The Notorious Guerrilla Chief, WM. T. ANDERSON
Entered according to Act of Congress, in the year 1864, by Rob
B. Kice, in the Clerk's Office of the U. S. District Court f
the Eastern District of Missouri.

This book places Anderson at the end of military theorist Carl von Clausewitz's process of "reciprocal action" and emphasizes Anderson's actions as an inevitable—even if exceptional—part of war. Plenty of evidence shows that the late twentieth-century historians were right: Anderson was not unique. This book argues that the American Civil War was not unique either.

The war's participants accomplished some great things, failed to accomplish others, and used horrific violence in doing both.[8]

* * *

The traditional end to the war—Robert E. Lee's unconditional surrender of the Army of Northern Virginia to Ulysses S. Grant at Appomattox Courthouse—affected two major things: union and slavery. U.S. victory ensured that a state's secession over the outcome of a presidential election was illegal and punishable by force, while the Thirteenth Amendment ended slavery on 6 December 1865. More than one hundred thousand U.S. troops—many of them formerly enslaved men from USCT regiments—occupied the postwar South to enforce these outcomes. They faced incredible difficulties. Violence never stopped—the volume, perpetrators, and targets just changed. White supremacy reigned—the Thirteenth Amendment may have abolished slavery, but no law could change peoples' perceptions overnight. Finally, the Union did not agree on its end goal for formerly enslaved people and did not give its army a clear job to do (or enough men to do it). Black citizenship, civil rights, and voting rights were still up for debate, and no one knew how to—or if they even should—give political power back to rebellious citizens.[9]

Clinton B. Fisk's postwar experience embodied these issues. Less than two months after the conventional war's end, Fisk commanded the Freedmen's Bureau—the government's arm charged with enforcing the war's outcomes—in Kentucky, Tennessee, and northern Alabama. In general, the bureau "issued rations and provided medical relief to both freedmen and white refugees, supervised labor contracts between planters and freedmen, administered justice, and worked with benevolent societies in the establishment of schools."[10]

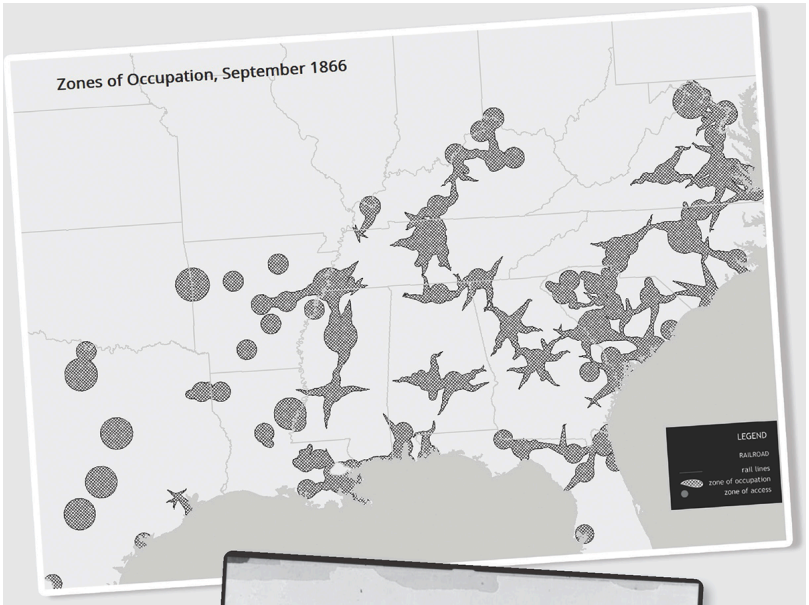
Continued guerrilla violence complicated the Freedmen's Bureau's ability to administer justice. Historians are continually uncovering an overwhelming number of references to white-on-Black violence: beatings, whippings, rape, murder, and arson. However, no comprehensive catalog of Reconstruction's violence exists—we still cannot see the forest for the trees (or all the trees themselves).[11]

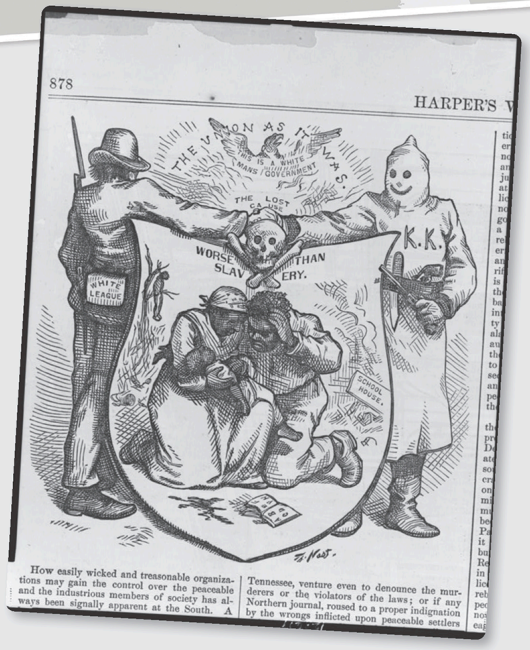
The U.S. Army and organized Black resistance counterattacked in the ongoing guerrilla war. However, without a conventional war to provide the army enough autonomy to achieve its goal, occupation became more politicized and less effective. Presidents Johnson and Grant, radical Republicans controlling Congress, and southern states all found ways to increase or decrease the size and powers of the occupying army. White supremacist paramilitary groups like the Ku Klux Klan filled the power vacuum whenever possible. The U.S. Army initiated its final withdrawal from the South in 1877, thus abandoning Black resistance. Without enhanced protection, terrified Black voters could no longer keep white supremacists from taking over local and state governments.[12]

Missouri's Reconstruction experience followed this national trajectory but did contain several unique elements. For white conservative Unionists who stayed loyal to the federal government because they believed it was the best way to maintain a race-based social system with whites at the top, federally enforced emancipation felt like a slap in the face. With the war neutralizing one of these white conservatives' evils—secessionism—they were left to focus on minimizing the impact of the other evil—abolitionism. Conservative Unionists turned to an unlikely ally in their quest: their former enemies, ex-Confederates (who, after all, were still white). Together, these groups reformed the Democratic Party to beat back racially progressive legislation and staffed terrorist organizations to target their political opponents. In these ways, border states such as Missouri established the game plan for a Lost Cause interpretation of

the war and a path back to white supremacy. Only the "presence of black voters, armed and organized to defend their right to vote, forced white Democrats to acknowledge black people's basic claims to the prerogatives of citizenship."[13]

Some recent scholarship argues that because violence, military occupation, and securing the war's political outcomes in law transcended the Civil War and Reconstruction, those eras should be seen as parts of the same war. Even if we follow regular soldiers' paths home from Appomattox, we see a "contentious, uncertain, ambiguous, and lengthy ending to the American Civil War." These assertions, along with America's drawn-out occupational experiences in Vietnam, Iraq, and Afghanistan, throw into question our understanding of the ends of war. For nineteenth-century Americans, regular warfare helped to achieve union and freedom; it helped prevent the establishment of the world's largest independent proslavery nation. But irregular warfare helped to achieve nothing but freedom—most African Americans lived as second-class citizens and in fear of violence. Even in Reconstruction, guerrillas pestered regular war's achievements. If success on the battlefield (not laws of war) legitimated violence, then success at the polls (through any means necessary) legitimated oppression.[14]


Zones of Occupation, September 1866
LEGEND
RAILROAD
rail lines
zone of occupation
zone of access


878
HARPER'S
THE VISION AS IT WAS.
THE LOST CAUSE.
K.K.K.
WORSE THAN SLAVERY.
WHITE LEAGUE
SCHOOL HOUSE.
How easily wicked and treasonable organizations may gain the control over the peaceable and the industrious members of society has always been signally apparent at the South. A
Tennessee, venture even to denounce the murderers or the violators of the laws; or if any Northern journal, roused to a proper indignation by the wrongs inflicted upon peaceable settlers

Acknowledgments

Andrew Fialka would like to thank:

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Jim Corwin, for giving me the finances to get this project over the finish line without a second thought. Rob Bratney and Nick Friedman, for channeling so much creative energy—it's no coincidence they were there at the beginning and the end. My dad, Bill Fialka, who listened to every twist, turn, high, and low of this decade-long saga; I love you. My sisters, Megan Biram and Erin Wear, for being my constant stream of support (or a kick in the pants when they knew I needed it). My mom, Pattie Ryan Corwin, who died as I was finishing this project; no one would have been prouder. My kids, Eva and Willa, who force me to live my values and expand my ability to love. And most importantly, my wife, Katie, for telling me I wasn't done with Terman, and for always bringing out the best in me.

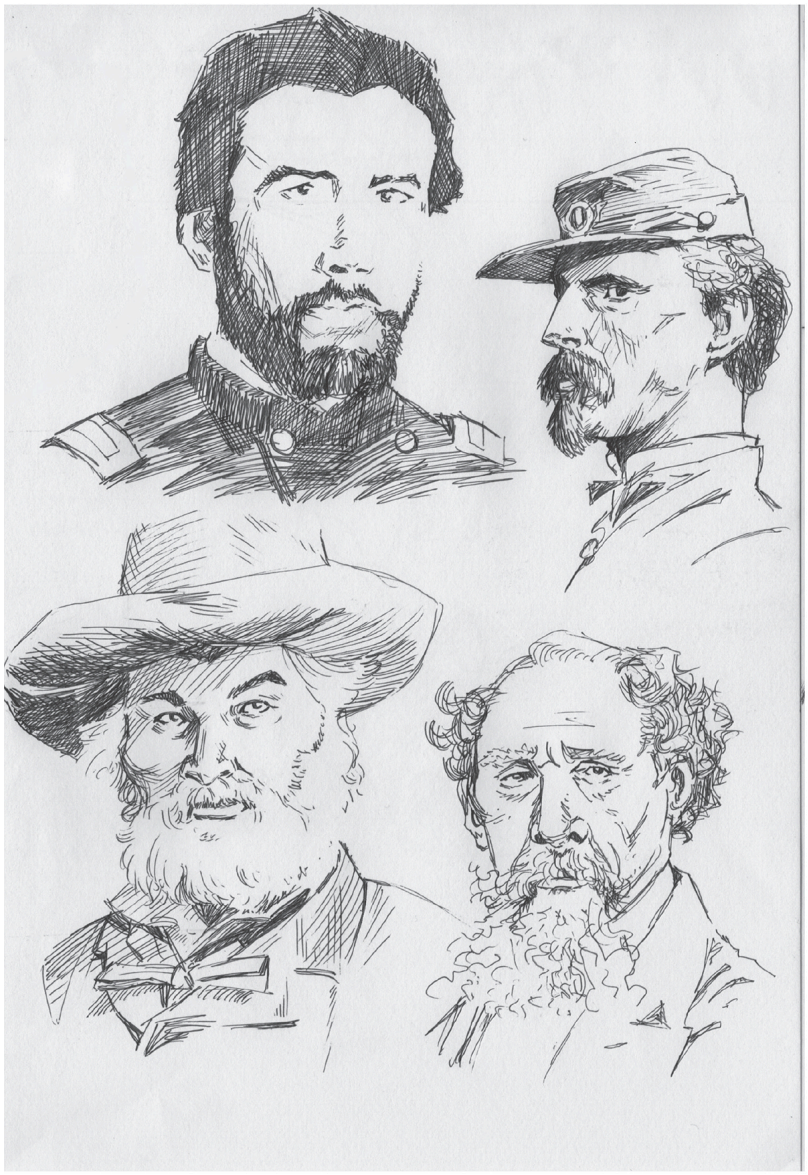
Anderson Carman would like to thank:

My wife, Laura, for keeping me on task, encouraging me through the highs and lows, and always pushing me to craft my best work. My kids—Vincent, for walking me to my drafting table after breakfast and telling me, "Work daddy, work is good," and Jenny, for crawling in and brightening my day with giggles. My extended family, for constantly checking in and encouraging me, celebrating milestones, and cheering me on the whole way.

Doug Dabbs, for teaching me how to use a brush and inspiring me to be better, and for recommending me for this project. Andrew Fialka, for being a fantastic collaborator and trusting me to bring his vision to life. My many comic inspirations: Tradd Moore, James Harren, Daniel Warren Johnson, Eric Canete, Matt Lesniewski, Mike Mignola, Chris Brunner, Dan Panosian, Sean Gordon Murphy, and many more.

And most importantly, Jack Hamm, for teaching me how to draw horses.

Artist Sketchbool



PAGE 5

Panels 1-2 – The scene returns to the bushwhackers' camp, a few miles south of town in a wooded creek bed. A Federal prisoner, Sergeant Thomas M. Goodman, is wearing nothing but underwear and riding a mule while two guerrillas ride mounts on either side of him keeping guard. Other guerrillas, clearly intoxicated and clutching riding boots sloshing with whiskey, ride past in twos and threes, hurling (slurred) insults at the prisoner.

The other guerrillas look as follows: they're riding steeds, wearing faded blue coats (pulled off the dead bodies of Union soldiers—so maybe a bullet hole or patch of blood), and have long hair and big hats. If they aren't still drinking, brand-new riding boots may be tied together and hung over their horse's necks. Stolen goods from Centralia also may dangle off their saddle or lay strapped in bundles behind them.

TEXT (only if you think necessary) – Meanwhile, back at the guerrillas' camp…

RIDING GUERRILLA 1 – I would like to kill the damn Yankee.

RIDING GUERRILLA 2 – Hell-fire is too good for you, you son of a bitch!

Panel 3 – Close up of Goodman's face. His memoir states that "no language can be found adequate to express my terror and apprehension of what imagination pictured as my fate. … Awaiting in breathless anxiety and suspense."

Panel 4 – Goodman and his guards stop and begin to dismount amidst dozens of other guerrillas.

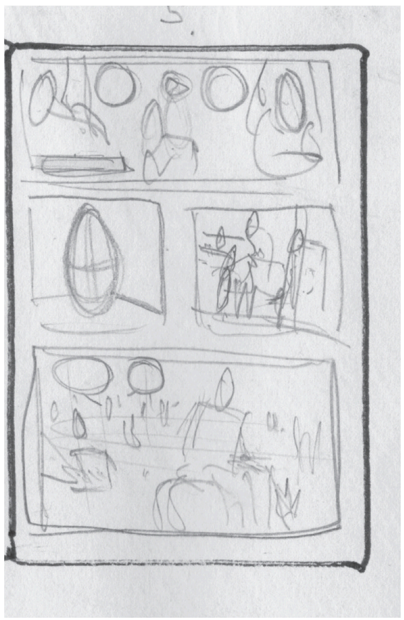
RANDOM GUERRILLA – I say … I wonder how in the hell Anderson has permitted that damn Yankee to live so long?

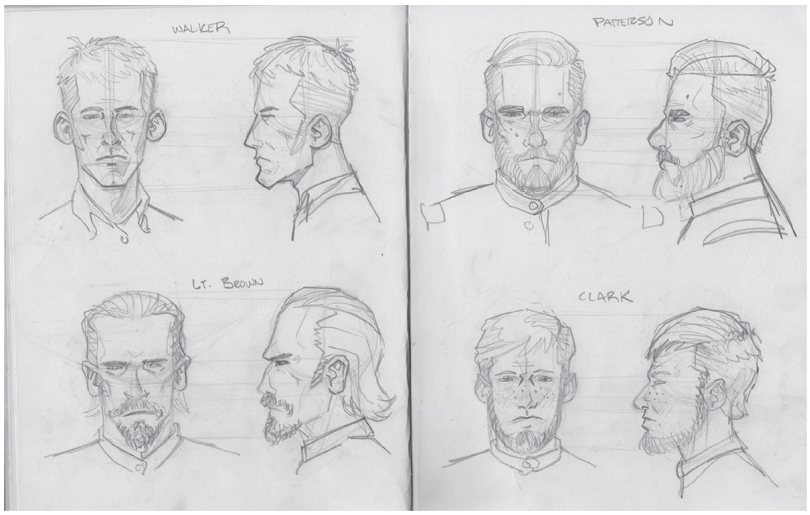
Panels 5-9 – We finally see the camp from Goodman's perspective, which he describes as follows: "Their horses were unsaddled, and picketed out, while the men threw themselves upon the ground, and in a little while the majority were soundly sleeping away the effects of their inebriation and exciting conquest." Around seventy-five guerrillas participated in the massacre and are therefore passing out from alcohol, but another 100-200 are in the camp/amongst the woods/milling about that did not participate in the massacre. We can't possibly depict them all, but as long as the reader knows this is a *large* group of guerrillas. I do imagine some are urinating or finishing off the last dregs of whiskey from the boots before passing out.

RANDOM GUERRILLA (maybe off page? Dialogue is what's important) – Dun no … 'taint like Old Bill, is 't?

TEXT (bottom of page) – By September 1864, "Bloody" Bill Anderson's reputation as a drinker, robber, torturer, and killer entrenched him as one of the war's most notorious guerrillas.

Each page started as a script written by Fialka based on his research. Carman then translated the written word into rough thumbnail sketches. From there, the images became clearer through the storyboarding, penciling, and inking processes.





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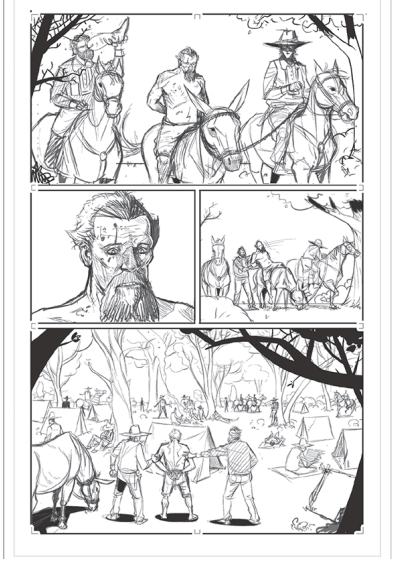
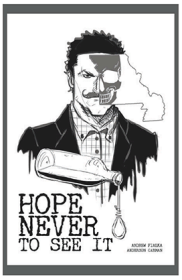
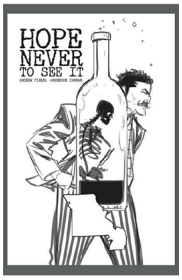


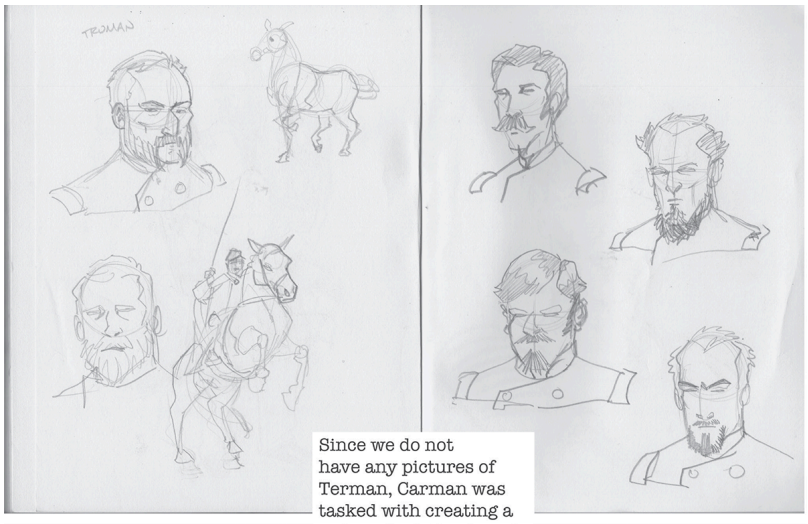
I WONDER IF I'LL EVER SEE THAT DAMN HORSE AGAIN!
WELL-FIRE IS TOO GOOD FOR YOU YOU SON OF A BITCH!
While Maj. Johnston contemplated his course of action, the guerrillas camped three miles south of Centralia with a rare prisoner, Sgt. Thomas M. Goodman.
I GIVE...
I WONDER HOW IN THE HELL ANDERSON HAS PERMITTED THAT DAMN HORSE TO LIVE SO LONG!
OOH MO... TAINT LIKE OLD BILL IS IT?
By September 1864, William "Bloody Bill" Anderson had surpassed William Quantrill as Missouri's most dangerous guerrilla, capable of uniting the state's fractured bands into a broader command.

This portrait of Fisk is the first drawing that Carman did on the project to get a feel for the style and mood of this book.

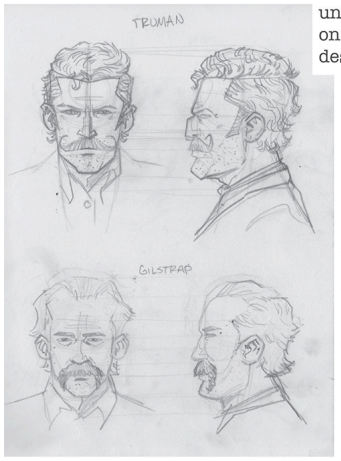
Carman created multiple variations of the cover before fully rendering the final version.

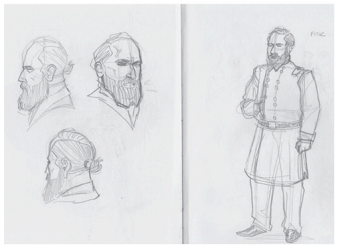


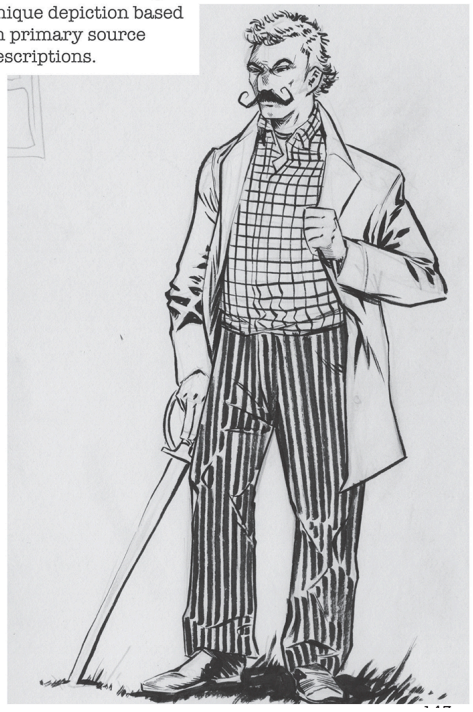




Since we do not have any pictures of Terman, Carman was tasked with creating a unique depiction based on primary source descriptions.







Notes

A Note on Endnote Design

The notes for chapters 1, 4, and 5 begin with bibliographic essays (titled "A Note on Sources concerning . . .").

In graphic chapters, notes are organized by page number and panel number, separated by a period. For example, in chapter 1, **3** indicates notes for all of page 3; **3.1** indicates notes for panel 1 on page 3. Chapters 2 and 7 are textual; notes in these two chapters are organized by page number and the traditional superscript.

Each note is broken up into analysis and citations. The analysis is in bold twelve-point font. The citations are in regular eleven-point font.

Chapter 1. The Ambush

A Note on Sources concerning the Centralia Massacre and Ambush

The Centralia Massacre (depicted in chapter 6) and ambush (depicted in this chapter) rank among the worst episodes of the Civil War. And yet they remain little known, partly because events in the trans-Mississippi theater seemed to have had little impact on the war's outcome, and partly because of their exceptional nature and low casualty figures (approximately 150 killed compared to some 7,000 killed at the Battle of Gettysburg). This book argues that their place in academia and in our collective memory should be better established because they influence our overall understanding of war, laying bare war's inevitable extremes.

Primary and secondary sources on the massacre and ambush are readily available but deeply problematic. Most contain nuggets of truth that historians can verify by cross-checking multiple accounts. Others include fabrications—citizens claiming chance encounters with infamous guerrillas like Jesse James (who was not even present at the massacre), histories with no citations, or guerrillas' own propaganda. Much of the misinformation stems from what one historian calls the "irregular Lost Cause"—a romanticized version of Missouri guerrillas painted as "a variant construct of southern honor rooted in community self-regulation and extralegal violence." This mythology helped establish Missouri's postwar southern identity and justified guerrillas' brutality as self-defense against Kansas Jayhawkers and Union occupiers.

For secondary sources dissecting the irregular Lost Cause, see Hulbert, "Constructing Guerrilla Memory"; Hulbert, *Ghosts of Guerrilla Memory*; and Beilein, *William Gregg's Civil* War. For a primary source example, see John Newman Edwards, Noted *Guerrillas*.

Only a few contemporary secondary sources do a deep dive on the massacre, although their coverage is comprehensive. The best is Albert Castel and Tom Goodrich's 1998 biography of William "Bloody Bill" Anderson, which offers a minute-by-minute account. In 8008, Thomas D. Thiessen, Douglas D. Scott, and

Steven J. Dasovich prepared a historical and archaeological report for the Friends of Centralia Battlefield and the Missouri Civil War Heritage Foundation. The report includes most known primary sources of the massacre. Joseph M. Beilein Jr.'s 8017 article showed how the massacre "was an all-out binge of whiskey and blood in which the wild men and heavy drinkers (often one and the same) came to the forefront and did the most to shape the war's final years."

Castel and Goodrich, *Bloody Bill Anderson*; Thiessen, Scott, and Dasovich, *"This Work of Fiends"*; Beilein, "Whiskey, Wild Men." See also Duffner, "Guerrilla Victory at Centralia"; and Nichols, *Guerrilla Warfare*, 4:97–114.

Secondary sources published in the late nineteenth and early twentieth centuries are invaluable because of oral interviews with eyewitnesses; however, the sources almost never identify those eyewitnesses. Because none of the authors used professional standards for oral history, these works are subject to the cultural biases of their time—namely a Lost Cause interpretation of the war. This interpretation falsely eliminated the role of slavery in the war's causes and conduct, emphasized states' rights as the war's cause, portrayed enslaved people as content in their condition and faithful to their enslavers, cited manpower as the North's inevitable key to victory, and reimagined Confederate commanders as Christian martyrs. Historians have thoroughly debunked this interpretation.

Rodemyre, *History of Centralia, Missouri*; and Switzler, *History of Boone County, Missouri*. Switzler provided summarized versions in Conard, *Encyclopedia of the History of Missouri*, 553–555; and Switzler, Barns, Campbell, Conant, and Swallow, *Switzler's Illustrated History of Missouri*, 436–440. Switzler's version of events came largely from Thomas M. Goodman's prisoner-of-war account (described below). See also Britton, *Civil War on the Border*, 375–386.

For studies on the Lost Cause, see Osterweis, *Myth of the Lost Cause*; Wilson, *Baptized in Blood*; Connelly and Bellows, God and General *Longstreet*; Gaines Foster, *Ghosts of the Confederacy*; Cox, Dixie's *Daughters*; and Brundage, *Southern Past*.

The best primary sources on Centralia come from two places: first, the federal government's collection of military correspondence and reports—known by historians as the *Official Records*, or simply the O.R.; and second, memoirs and interviews with Union prisoners and survivors. Particularly noteworthy accounts include that of Sergeant Thomas M. Goodman—the only U.S. POW from Centralia—and those from two members of a train crew: engineer James Clark and conductor R. H. Overall.

War of the Rebellion (hereafter cited as the *O.R.*). For a historian's dissection of the biases inherent in the *O.R.,* see Sternhell, "Afterlives of a Confederate Archive." Goodman, *Thrilling Record*. A newspaper interview with Goodman also appears in the *St Joseph Morning* Herald *and Daily Tribune*, 14 October 1864. Goodman's account heavily influenced the aforementioned secondary sources by Switzler, as well as Neal, *Illustrated History*, 147–154. For a modern historian's argument that Goodman's account "was designed to market himself and other Federal victims of the irregular war in the West as worthy of mainstream remembrance and commemorative attention," see Hulbert, "Business of Guerrilla Memory." James Clark's account was originally published in the *Moberly Daily Monitor*, 4–5 June 1896. It was then reprinted in the *Kansas City Post*, 14 September 1907; the *Blue & Grey Chronicle* 10, no. 5 (June 2007): 1–5; and Rodemyre, *History of Centralia, Missouri*, 56–60. R. H. Overall's account was published in the St. *Louis Globe-Democrat*, 10 October 1864. See also Lothrop, *History of the First Regiment*, 187–195.

Because guerrillas rarely left written or oral records, primary sources on the massacre from the guerrillas' point of view are rare. Furthermore, they are often riddled with Lost Cause propaganda. The only accounts trusted here are those portions cross-checked and recognized as factual by modern historians.

O. S. Barton, *Three Years with Quantrell*, 113–115; W. C. Todd, Centralia *Fight*. Todd noted that he wrote "in order, not to permit a book published in 1882 entitled 'The History of Boone County' to stand unchallenged and

undenied with its partial and biased statements and hatred of the confederate cause emblazoned on almost every page." Cummins, *Jim Cummins' Book*, 69–83; Burch, *Charles W. Quantrell*, 175–185; Watts, *Babe of the Company*, 23–24; Frank Smith, "The Original Frank Smith Manuscript" (n.d., n.p.). This last account was particularly difficult to acquire, as "[t]he Board of Directors of quantrillsguerrillas.com is proud to have been offered a copy of the original Frank Smith Manuscript to share with its members for the first time ever. . . . Written by him with assistance of his son. Transcribed by Paul Petersen." Frank James, Interview in *Columbia Missouri Herald*, 24 September 1897. This account is noted as particularly inaccurate by all secondary sources. Frank James also gave an interview to Walter Williams, who transcribed the interview before sending it to author William Connelley; see Denver Public Library, William Elsey Connelley Papers, 1880–1930, C MSS WH905.

Newspaper accounts of the massacre are widespread, but they often printed inaccuracies. Many of these accounts are unusable because they cannot be verified by cross-checking other sources. If the newspaper cited a source, I have included said source after the newspaper's name. Furthermore, I have broken up my listing of newspaper accounts into two paragraphs: the first includes those stories published immediately after the massacre, while the second includes stories printed decades after the war's conclusion.

St. Louis Globe-Democrat, 28 September 1864—"military telegraph"; St. *Louis Globe-Democrat*, 29 September 1864—Mr. Jeffries, Mexico postmaster; *Daily Missouri Republican*, 29 September 1864; *Leavenworth Evening Bulletin, 29* September 1864—E. J. Brown, passenger; *St. Joseph Morning Herald, 29* September 1864—T. D. Price; *Weekly Atchison Champion, 29* September 1864—"passenger"; *St. Louis Globe-Democrat*, 30 September 1864—Henry L. Morrill, 1st Iowa Cavalry; *Daily Missouri Republican*, 30 September 1864—Mr. Jeffries, Mexico postmaster; *Tri-weekly Missouri Republican*, 30 September 1864—Mr. Jeffries, Mexico postmaster; *Columbia Missouri Statesman, 30* September 1864—"eyewitnesses"; *Daily Missouri Democrat, 30* September 1864—Henry L. Morrill, 1st Iowa Cavalry; St. *Joseph Morning Herald, 30* September 1864—"gentleman from Indiana" (R. H. Overall critiqued this account as having "not a single circumstance stated correctly" [St. Louis *Globe-Democrat*, 10 October 1864]); *Kansas City Daily Journal of Commerce, 30* September 1864—Leopold Richard, passenger; *Liberty Tribune, 30* September 1864; St. *Louis Globe-Democrat*, 1 October 1864—"dispatches"; *Kansas City Daily Journal of Commerce*, 1 October 1864—T. D. Price reprint; *Tri-weekly Missouri Republican*, 3 October 1864—"Traveller"; *St. Louis Globe-Democrat*, 4 October 1864—Chas. H. Lathrop, surgeon, 1st Iowa Cavalry, and "gentleman from Indiana" reprint; *Daily Missouri Democrat*, 4 October 1864—"gentleman from Indiana" reprint; *Kansas City Daily Journal of Commerce*, 4 October 1864—"gentleman from Indiana" reprint; St. *Joseph Weekly Herald and Tribune*, 6 October 1864—"gentleman from Indiana" reprint and T. D. Price reprint; *Canton Press*, 6 October 1864; *Liberty Tribune*, 7 October 1864; *Louisiana Journal, 8* October 1864—"wounded soldier of Maj. Johnston's"; St. *Joseph Weekly Herald and Tribune, 20* October 1864—Thomas Goodman reprint.

St. Louis Globe-Democrat, 9 November 1877—Frank B. Ray and Captain Adam Theis, 39th Missouri Infantry; St. *Louis Globe-Democrat*, 7 April 1882—Geo. F. Carruthers; *National Tribune, 28* August 1884; *National Tribune*, 11 March 1886—Captain James M. Russell, 1st Iowa Cavalry; *St. Louis Globe-Democrat*,

24 September 1887—Captain Adam Theis, 39th Missouri Infantry; *National Tribune*, 14 June 1888—J. M. Russell, 1st Iowa Cavalry; *National Tribune*, 23 August 1888—E. J. Smith, 1st Iowa Cavalry; *National Tribune*, 25 July 1895—Sergeant Hiram Haines, 39th Missouri Infantry; *Rocky Mountain News*, 12 August 1895—Abraham Jacobs, passenger; *Daily Mail, 28* April 1897—Dr. J. F. Robinson; *Shelby County Herald*, 27 October 1897—R. M. Burgess; *Macon Telegraph*, 15 September 1898—R. H. Overall and R. M. Holt; *National Tribune*, 26 December 1901—"as it was related to [James M. Jack, 9th Missouri Cavalry] by one of the survivors"; *Columbia Daily Times*, 11 December 1915—Rev. Mr. Green; *Columbia Daily Times*, 15 December 1915—J. M. Jacks; *Evening Missourian*, 11 March 1918—Mrs. H. H. Garth; *Evening Missourian*, 27 September 1919—Bill Stewart (guerrilla); *Mexico Intelligencer*, 5 and 12 January 1922—Joe Lee Bomar; *Centralia Fireside Guard*, 12 September 1924—M. F. Hicks and Richard Cook; *Centralia Fireside Guard*, 19 September 1924-J. W. Daniel; *Centralia Fireside Guard*, 26 September 1924—Enoch Hunt, 39th Missouri Infantiy, and W. L. Hulen (the 19 September and 26 September *Fireside Guard* articles were reprinted in the *Mexico Intelligencer); Centralia Fireside Guard, 17* October 1924—James T. Willingham (guerrilla).

A Note on Terminology

Historians debate definitions of the participants in and purpose of guerrilla war. One of this book's goals is to blur those definitions to present a more holistic portrayal of war. The main dichotomy is between "regular" versus "irregular" (or "conventional" versus "unconventional"). Regular soldiers—who were paid and trained by a central government—fought other regular soldiers, in uniform, as far away as possible from noncombatants. Irregular fighters used whatever means necessary to frustrate their enemies—and that encompassed an enormous spectrum of legal and illegal actions.

For guerrilla warfare's objectives, strategies, and tactics, see Klonis, *Guerrilla Warfare*, 5–6, 189–190.

During the Civil War, the Union military relied on Columbia University professor and military theorist Francis Lieber's definition of a guerrilla: "self-constituted sets of armed men, in times of war, who form no integrant part of the organized army, do not stand on the regular pay-roll of the army, or are not paid at all, take up arms and lay them down at intervals, and carry on petty war chiefly by raids, extortion, destruction, and massacre, and who cannot encumber themselves with many prisoners, and will therefore generally give no quarter." In contrast, partisans were "small, elite conventional forces given an unconventional role," and a bushwhacker was "the lowest form of irregular combatant, . . . someone who occupied a place between criminality and guerrilla warfare."

For Francis Lieber's definition, see *Guerrilla Parties Considered with Reference to the Laws and Usages of War,* *O.R.,* Series 3, Vol. 2, 300–309. Lieber discussed the Union's justified treatment of guerrillas and occupation policies in General Orders No. 100—or Lieber's Code—in *O.R.,* Series 3, Vol. 3, 148–164. For a breakdown of nineteenth-century terminology concerning guerrilla war, see Mackey, *Uncivil War*, 3–23; and Sutherland, *Savage Conflict*, xi–xiii.

2 For descriptions of Centralia's infrastructure and a map, see Castel and Goodrich, *Bloody Bill Anderson*, 73, 90; Rodemyre, *History of Centralia, Missouri*, 14–15, 24–27; Switzler, *History of Boone County Missouri*, 441, 695–698.

3 There is some discrepancy over the exact number of U.S. soldiers present at the ambush, but all sources put the number close to 150. The Thiessen, Scott, and Dasovich report contains the best breakdown, including an appendix listing "Members of Companies A, G, and H, 39th Missouri Volunteer Infantry who were in the Regiment at the time of the Centralia Battle." Images of the companies' record of service cards are available online.

Thiessen, Scott, and Dasovich, *"This Work of Fiends,"* 26–28, 95–109; Missouri Secretary of State, "Soldiers' Records Database [39th Missouri Volunteer Infantry record of service cards]," https://sl.sos.mo.gov/records/archives/archivesdb/soldiers/Results.aspx?unit=39th%20Regiment%20Infantry%20Volunteers&conflict=Civil%2OWar; O.R., Series 1, Vol. 41, Pt. 1, 442–443; Switzler, *History of Boone County Missouri*, 452–453; Rodemyre, *History of Centralia, Missouri*, 33–34; *National Tribune*, 25 July 1895.

Major A. V. E. Johnston's image taken from Castel and Goodrich, *Bloody Bill Anderson*, 72, courtesy of the State Historical Society of Missouri.

4 This page illustrates the aftermath of the Centralia Massacre, depicted in full in chapter 6.

5 Major Johnston's arrival in Centralia and his discovery of the guerrillas heading south out of town is depicted only in secondary sources and oral histories.

Castel and Goodrich, *Bloody Bill Anderson*, 88–89; Switzler, *History of Boone County Missouri*, 453–456; Rodemyre, *History of Centralia, Missouri*, 35–36. Dialogue taken from Switzler.

Guerrillas typically rode superior mounts compared to Missouri's cavalry units because they received their support from citizens who bred horses. Guerrillas also carried Navy Colt revolvers instead of rifles, which were less accurate at long range but well suited for their hit-and-run ambushes. Some guerrillas carried up to six revolvers, enabling them to fire thirty-six rounds at close range without reloading.

For a description of Missouri guerrillas' mounts, weapons, clothing, and tactics, see Beilein, *Bushwhackers*.

6 Guerrillas took Sergeant Thomas M. Goodman prisoner the morning of the massacre. Dialogue and the description of the guerrilla camp are taken from Goodman's account.

Goodman, *Thrilling Record*, 27–29. Goodman's image taken from Castel and Goodrich, *Bloody Bill Anderson*, 65, courtesy of the Betty Pierce Collection.

There are numerous biographies of notorious Civil War guerrillas—namely William Clarke Quantrill, William Anderson, and Jesse James. The biographers range from professional scholars to guerrilla apologists. For depictions of Anderson in this chapter, I relied on the aforementioned biography by Albert Castel and Thomas Goodrich.

Other biographies include Wood, *Civil War Story*; Stiles, *Jesse James*; Leslie, *Devil Knows How to Ride*; Castel, *William Clarke Quantrill*; Hale, *They Called Him Bloody Bill*; Hale, *We Rode with Quantrill*.

7 Goodman noted that guerrillas Anderson, "Todd, Thrailkill, and others of their officers" held "a council" back at the guerrilla camp. Historian Joseph Beilein Jr. noted that the guerrilla captains in the camp included "probably Anderson, George Todd, Thomas Todd, John Thrailkill, Clifton Holtzclaw, and Jim Jackson."

Goodman, *Thrilling Record*, 31; Beilein, "Whiskey, Wild Men," 250. See also *O.R.,* Series 1, Vol. 41, Pt. 1, 232–233, 417–418; and *O.R.,* Series 1, Vol. 41, Pt. 2, 623.

Concerning Missouri guerrillas' connection to the Confederate army, Major General Sterling Price did give orders to Anderson, penned on 11 October 1864: "Captain Anderson, with his command, will at once proceed to the north side of the Missouri River and permanently destroy the North Missouri Railroad, going as far east as practicable. He will report his operations at least every two days. By order of Major General Price." However, historian and Price biographer Albert Castel noted that this was an exception, not the rule. Castel argued that in Price's "desperate desire to shake Union control of Missouri he no doubt was ready to use any tool that came handy, and the bushwhackers promised to be quite useful. This promise . . . was not fulfilled."

For Price's order to Anderson, see *O.R.,* Series 1, Vol. 41, Pt. 4, 354. One Missouri newspaper printed this order and indicated that it "was found on the person of Bill Anderson just after being shot"; see *Columbia Missouri Statesman*, 25 November 1864. For Price's biography, see Castel, *General Sterling Price*, 61, 226–227. See also *O.R.,* Series 1, Vol. 41, Pt. 1, 309, 418–420, 429, 632, 717–718; and *O.R.,* Series 1, Vol. 41, Pt. 3, 395. Guerrilla historians cite these orders as evidence of coordination between regular and irregular forces. See Castel and Goodrich, *Bloody Bill Anderson*, 114–115; and Brownlee, *Gray Ghosts of the Confederacy*, 209. Guerrillas Jim Cummins and W. C. Todd both described Anderson's men as operating under Price's wishes. See Todd, *Centralia Fight*; and Cummins, *Jim Cummins' Book*, 69–83. Union brigadier general Fisk and guerrilla biographer John Newman Edwards both understood Anderson's guerrillas as being organized under recruiters of Price's regular army. See *O.R.,* Series 1, Vol. 41, Pt. 3, 488; and Edwards, Noted Guerrillas, 283. It is important to note that Anderson and his men may have coordinated with Price's army but did not see themselves as belonging to that army. See *O.R.,* Series 1, Vol. 41, Pt. 2, 75–77; and *St. Joseph Morning Herald and Daily Tribune*, 14 October 1864.

For a discussion of the historical debate concerning guerrilla war's savagery and order, see chapter 2, note 26.3. We chose to illustrate the role of guerrillas as

communal defense with images of their shirts, bedecked with stitched flowers sewn by their sweethearts and families. Numerous historians detail guerrillas' "domestic supply line"—the women that became distributors, "messengers, and spies," and the households that operated as "command centers, communication hubs, and supply depots."

For an article describing guerrilla shirts, see Beilein, "Guerrilla Shirt." For analysis of guerrillas' domestic supply line, see Hulbert, "Regularly Irregular War"; Whites, "Forty Shirts and a Wagonload"; Whites and Long, *Occupied Women*; Fialka, "Spatial Approach"; Streater, "She-Rebels on the Border"; Beilein, *Bushwhackers*; Curran, *Women Making War*; and Ash, *When the Yankees Came*.

Anderson offered his own justification for serving as a guerrilla, and the language is strewn with references to his female family members suffering at the hands of Union occupiers. See *O.R.,* Series 1, Vol. 41, Pt. 2, 75–77.

The guerrillas' physical appearance comes from multiple sources.

Castel and Goodrich provide a textual description of Anderson and three images courtesy of the State Historical Society of Missouri; see Castel and Goodrich, *Bloody Bill Anderson*, 10–11, 128–129. See also Goodman, *Thrilling Record*, 30–31; Beilein, *Bushwhackers*, 108; and *O.R.,* Series 1, Vol. 41, Pt. 4, 334, 354. Additionally, two sources state that Anderson carried a silken cord on his saddle with a knot tied for each of his kills. The first source—John Newman Edwards—is questionable. The second source—Albert Castel and Thomas Goodrich—is not. Castel and Goodrich's *Bloody Bill Anderson* contains a picture of the cord with the following caption: "According to John N. Edward's Noted Guerrillas, Anderson kept a tally of his killings by tying a knot for each one of them on a silken cord. If so, then this probably is that cord. It contains fifty-three knots. PRIVATE COLLECTION." Furthermore, in their acknowledgments, the authors thank "full-time lawyer and part-time historian Charles F. Harris of Wichita, Kansas, for providing us with . . . the silk cord with which Anderson kept count of the Union soldiers killed by him." See John Newman Edwards, Noted *Guerrillas*, 166; and Castel and Goodrich, *Bloody Bill Anderson*, ix, 127.

For George Todd, the image is taken from Castel and Goodrich, *Bloody Bill Anderson*, 32, courtesy of the State Historical Society of Missouri.

For John Thrailkill, the image is taken from "John Thrailkill," Civil War on the Western Border: The Missouri-Kansas Conflict, 1854–1865, the Kansas City Public Library, https://civilwaronthewestemborder.org/islandora/object/civilwar%3A1381.

8 & 9 Primary and secondary sources depict guerrillas' pickets discovering Johnston's men and luring them into an ambush. Discrepancies exist concerning which guerrillas served as the bait. We chose to depict Beilein Jr.'s conclusion that Dave Pool led the way.

Quotations on this page from Beilein, "Whiskey, Wild Men," and dialogue from Goodman, *Thrilling Record*, 32. See also Switzler, *History of Boone County, Missouri*, 454–456; Rodemyre, History *of Centralia, Missouri*, 36; Stiles, *Jesse James*, 124; Castel and Goodrich, *Bloody Bill Anderson*, 90; Todd, *Centralia Fight*; Watts, *Babe of the Company*, 23; and Frank James, *Columbia Missouri Herald*, 24 September 1897.

Sources debate why Johnston pursued the guerrillas when Centralia's citizens warned him that the guerrillas grossly outnumbered his troops. The arguments include: (1) Johnston was incompetent; (2) the sight of the massacre overrode his better judgment and instilled a need for revenge; and (3) he did his duty heroically.

Thiessen, Scott, and Dasovich, *"This Work of Fiends,"* 87; *Tri-weekly Missouri Republican*, 3 October 1864; Frank James interview, Denver Public Library, William Elsey Connelley Papers, 1880–1930, 5–7 (also in Columbia Missouri Herald, 24 September 1897); O. S. Barton, *Three Years with Quantrell*, 113–114; Daily *Missouri Republican*, 30 September 1864; J. F. Benjamin to John Paddock, 30 September 1864, John and Diana Benjamin Letters, State Historical Society of Missouri; *National Tribune*, 25 July 1895 and 28 August 1884; and Switzler, *History of Boone County, Missouri*, 454–455.

10 & 11 Visualizations of landscape taken from personal tours of the battlefield and the map in Castel and Goodrich, *Bloody Bill Anderson*, 92. 39th Missouri Infantry battle flag depicted from monument on the battlefield.

12 Anderson's dialogue from Castel and Goodrich, *Bloody Bill Anderson*, 91.

13 & 14 Numerous sources depict guerrillas springing their trap on the 39th Missouri Infantry. Historians Albert Castel and Tom Goodrich best described the ambush.

Castel and Goodrich, *Bloody Bill Anderson*, 153n5. See also *O.R.,* Series 1, Vol. 41, Pt. 1, 440–443; Goodman, *Thrilling Record*, 33–34; Switzler, *History of Boone County, Missouri*, 457–458; and Rodemyre, *History of Centralia, Missouri*, 36–38. Frank James's account is unreliable.

16 & 17 Carman's artistic rendition does not depict all the gore at Centralia. Many primary sources refused to print descriptions of the mutilation; for example, W. T. Clarke's report to General Fisk stopped short mid-description and simply said other "shameful indignities upon the corpses are mentioned." Furthermore, the authors decided against depicting reports of genital mutilation. Primary accounts of the carnage that inspired Carman's work are printed here.

"It then became a scene of murder and outrage at which the heart sickens. Most of them were beaten over the head, seventeen of them were scalped, and one man had his privates cut off and placed in his mouth. Every man was shot in the head. One man had his nose cut off. One hundred and fifty dead bodies have been found, including the twenty-four taken from the train."—Lieutenant Colonel Daniel M. Draper, 9th Cavalry Missouri State Militia, to General Fisk.

O.R., Series 1, Vol. 41, Pt. 1, 440.

"Our force had but time to fire one volley, when the enemy from his great superiority of numbers and arms broke through the line, completely surrounding the troops, giving no quarter and mutilating bodies."—Reports of Lieutenant Colonel Edward A. Kutzner, 39th Missouri Infantry.

O.R., Series 1, Vol. 41, Pt. 1, 443.

"All the men but one were shot in the head; numbers were bayoneted; others had their heads mashed with the butts of their own guns."—Colonel T. J. Stauber to General Fisk.

O.R., Series 1, Vol. 41, Pt. 3, 456.

"Major Johnston was completely overwhelmed, and himself and command subjected to the most inhuman butchery and barbarities that blacken the pages of history. Major Johnston was murdered and scalped. One hundred and thirty of his officers and men shared his fate. Most of them were shot through the head, then scalped, bayonets thrust through them, ears and noses cut off, and privates torn off and thrust in the mouths of the dying. The heart sickens and the mind recoils at the recital and contemplation of the barbarous atrocities."—General Fisk to Major General William S. Rosecrans.

O.R., Series 1, Vol. 41, Pt. 3, 488. Historian Richard S. Brownlee cited this depiction of mutilation but argued "[t]his atrocity story was not so." He offered no explanation or sources of this denial. Brownlee, *Gray Ghosts of the Confederacy*, 220.

"Ears were cut off and all commissioned officers were scalped. One wounded man reports the privates cut from one wounded soldier while living and thrust in his mouth. Other shameful indignities upon the corpses are mentioned."—Lieutenant W. T. Clarke to General Fisk, 29 September 1864.

O.R., Series 1, Vol. 41, Pt. 3, 489.

"Major Johnston was killed, stripped, scalped, and his nose broken. His remains and those of Captain Smith, whose remains were worse treated than those of Johnston, were sent to their homes yesterday evening."—Lieutenant Clarke to General Fisk, 30 September 1864.

O.R., Series 1, Vol. 41, Pt. 3, 521–522.

"Men's heads were severed from their lifeless bodies, exchanged as to bodies, labelled with rough and obscene epitaphs and inscriptions, stuck upon their carbine points, tied to their saddle bows, or sat grinning at each other from the tops of fence stakes and stumps around the scene."
Goodman, *Thrilling Record, 35*.

"All of the bodies of the Federals had been searched and some of them stripped. A few of the bodies were mutilated. Three are known to have been scalped, one of these being a large red-headed man. Over in the prairie, west of the field, one body was stripped and mutilated in a revolting manner not to be described. Near Mr. Jackson's house one soldier lay dead, pinned to the earth with his own bayonet."
Switzler, *History of Boone County Missouri*, 462.

18 & 19 We chose to keep the focus on the ambush site instead of depicting the small chase that ensued between guerrillas and Johnston's remaining men. Guerrillas pursued the soldiers back to Centralia, ran Johnston's rear guard out of town, and killed three civilians while there.
Castel and Goodrich, *Bloody Bill Anderson*, 93–94; Rodemyre, *History of Centralia, Missouri*, 38–40; Switzler, *History of Boone County Missouri*, 459–461.

Frank James claimed that the Union soldiers' dead bodies were so close together that Dave Pool could walk across them without touching the ground. This story also appears in a secondary source published in the 1880s based on oral interviews of eyewitnesses.
Columbia Missouri Herald, 24 September 1897; Rodemyre, *History of Centralia, Missouri*, 40.

20 Historian Drew Gilpin Faust argued that the Civil War's body count—greater than the rest of America's wartime casualties combined—challenged Americans "most fundamental assumptions about life's value and meaning." Faust's work on dying, killing, and burying inspired the inclusion of these pages, as did Mathew Brady's and Alexander Gardner's photographs of Civil War dead.
Faust, *This Republic of Suffering*, xviii. Numerous collections display Mathew Brady's and Alexander Gardner's wartime photography. For example, see Brady and Gardner, *War Photographs*. The Civil War's death count stands at 750,000. See Hacker, "Census-Based Count."

21 Multiple reports note Draper's orders for Centralia's citizens to bury some of the mutilated soldiers, as well as Fisk's justification for citizens to do this dirty work: their disloyalty. U.S. soldiers collected other bodies at Sturgeon and Mexico. There are discrepancies in the names of Union officers, who gave the orders, and the number of citizens involved.
O.R., Series 1, Vol. 41, Pt. 1, 440–441; *O.R.,* Series 1, Vol. 41, Pt. 3, 455, 490–491; Switzler, *History of Boone County Missouri*, 462–463; Rodemyre, *History of Centralia, Missouri*, 45.

22.1 For a discussion of the American Civil War as a war of occupation, see chapter 2, note 22.2, and chapter 7, note 134.12. Fisk also ordered all available men after Anderson in response to the massacre and ambush.
O.R., Series 1, Vol. 41, Pt. 3, 457–458. The last sentence is adapted from Ash, *When the Yankees Came*, 53.

22.3 *O.R.,* Series 1, Vol. 41, Pt. 3, 489–490.
22.5 *O.R.,* Series 1, Vol. 41, Pt. 2, 719.
23.2 *O.R.,* Series 1, Vol. 41, Pt. 3, 453–454.
23.4 *O.R.,* Series 1, Vol. 41, Pt. 3, 455.

Chapter 2. The Context

26 For image, see John L. Magee, "Southern Chivalry—Argument versus Club's," Philadelphia, 1856.

26.1 Historians are late—but not opposed—to adopting the graphic form. There are hurdles to writing comics embedded in our training, job security, and peer-review processes. Some of these include the need to learn how to write scripts and storyboards instead of monographs, a lack of networking with artists, and the absence of graphic work in tenure and promotion policies. Yet there is demand for graphic nonfiction. Some of the comic industry's most popular works contain historical content, such as the Pulitzer Prize-winning *Maus* by Art Spiegelman (a depiction of his father's Holocaust experience) and Alan Moore and Eddie Campbell's *From Hell* (their take on England's infamous serial killer Jack the Ripper). Historians are taking notice of these works and starting to deliver their own. The *American Historical Review* began reviewing graphic histories in 2018, and academic presses are adding graphic history series to their publishing lists.

Getz, "Getting Serious about Comic Histories"; Oxford University Press, Graphic History Series, https://global.oup.com/academlc/content/serles/g/graphic-hlstory-series-ghs/?cc=us&lang=en&; and Maher, "Graphic History and the Art." For an example of graphic history in the Civil War field, see Kelman and Fetter-Vorm, Battle Lines.

Film is another medium that historians have used to appeal to mass audiences. Victoria Bynum's *The Free State of Jones* is an example of an academic monograph that made the jump to the silver screen without sacrificing too much scholarly integrity. Beyond Bynum's book, see *Free State of Jones*, directed by Gary Ross, STX Entertainment (2016). However, film has long been the realm of historical myth and propaganda. For a discussion of how film shapes Civil War memory more than academia, see Gallagher, *Causes Won, Lost, and Forgotten*.

This book's authors, along with the University of Georgia Press, used the following method to create *Hope Never to See It*. Using the comic industry's standard twenty-two-page chapter as a template, Fialka wrote a script and notes for each page. Carman then interpreted that script to produce a storyboard. Collaboration followed; Fialka and Carman talked through the storyboard to agree on panel configuration and content detail. Carman then penciled artwork. The penciled graphic and notes went through the press's peer-review process before Carman inked the artwork.

Whenever possible, Carman depicted the story's characters from historical photographs. In those cases, the image citation appears the first time you see the character. In all other cases, character depictions are Carman's interpretation based on demographic information available in census records (such as age and occupation) and military records (such as height and weight).

26.2 These quotations bring up the debate over historians' purpose. The first quote comes from historian Carl Becker, who argued that his and his colleagues' "proper function is not to repeat the past but to make use of it, to correct and rationalize for common use Mr. Everyman's mythological adaptation of what actually happened." Becker wanted history aimed at everyday Americans and their modern problems. The second quote comes from an article by historian Walter Johnson, who critiqued historians of slavery for how they used "agency"—"the fact that enslaved people successfully 'strove to preserve their humanity.'" Johnson warned against "giving [the enslaved] back their agency"

by saying that historians who did this risked "using our work to make ourselves feel better and more righteous rather than to make the world better or more righteous." Johnson's article did not think optimism could wash away "the sins of the past." Instead, it was necessary to relive trauma in order for scholarship to be used to address modern problems (he cited globalized racial and sexual exploitation, Black incarceration, and the resurgence of slavery as a mode of production when writing in 2003).

The counterargument goes like this: historians should document "just the facts" and not flirt with social activism. Historians do document "facts," as our graduate training and peer-review processes have shown through the test of time. However, if our books showcase no creativity in form, no diversity of subject matter, and no risk taking with analyses that propose modern parallels, we eliminate much of the public from our intended audience.

Becker, "Everyman His Own Historian"; Johnson, "On Agency."

26.3 Civil War historians debate the war's violent nature and whether it was more restrained or more savage. Those advocating restraint cite limits to destruction outlined in the laws of war (more specifically, Lieber's Code), the U.S. Army's "surgical precision" in targeting war-making resources, comparisons to deadlier nineteenth-century wars (such as the Chinese Taiping Rebellion, in which more than 20 million people died), and the difficulty of Christian, "white Civil War soldiers fighting other white soldiers" to dehumanize, and therefore more easily kill, their adversaries. For arguments on how the war's restraints produced a just war, see note 28.7.

Historians advocating savagery are skeptical of any nineteenth-century army's "surgical precision." They cite occupational policies targeting southern civilians and their households, the savagery present in Lieber's Code (its extermination policy for guerrillas, its instruction for soldiers to throw the "burden of war" on disloyal civilians, and how it "left wide discretion in the hands of officers in the field . . . [resulting in] variability from region to region and command to command"), and stories of regular soldiers participating in irregular actions against guerrillas. Historian Michael Fellman argued that "in guerrilla war there was no such line" between soldier and noncombatant; therefore, the laws of war asked field officers "to make theoretical distinctions on lines erased by the facts."

For analyses on the laws of war during the Civil War era, see Sheehan-Dean, *Calculus of Violence*; and Witt, *Lincoln's Code*. Titles arguing for the war's restraint include Neely, *Civil War and the Limits of Destruction*; and Dilbeck, *A More Civil War*. For the leading title arguing for the war's savagery, see Sutherland, *Savage Conflict*. Also see Fellman, *Inside War*, 88. For the argument that the United States fought a "hard war" employing both savagery and restraint, see Grimsley, *Hard Hand of War*.

For Lieber's Code, see *O.R.,* Series 3, Vol. 3, 148–164. See also Francis Lieber, "Guerrilla Parties Considered with References to the Laws and Usages of War," *O.R.,* Series 3, Vol. 2, 301–309. For Major General Samuel R. Curtis's occupational policy in Missouri, see *O.R.,* Series 1, Vol. 22, Pt. 2, 237–244.

This generation's leading guerrilla historian, Daniel Sutherland, argued that the guerrilla conflict did help "decide the outcome of the Civil War." In the broadest survey of guerrilla warfare in the field, Sutherland concluded that guerrillas "made the war a far bloodier affair than the armies alone could have done. They prolonged the war by months at least, and Confederate guerrillas influenced the military policies of both sides. Rebel irregulars also helped their nation lose the

war" by hardening the Union's "military strategies and occupation policies" and by contributing "to the erosion of Confederate morale and unity."

The U.S. general-in-chief, Winfield Scott, so feared a guerrilla conflict that he warned against invading the South at the war's onset. Scott argued that *even if* the United States won a war, the nation could never afford the expensive garrisons necessary to maintain obedience in a postwar South whose citizens might never "be brought into harmony with their conquerors." The northern public mocked Scott's opinion, and Lincoln quickly replaced him.

Sutherland, *Savage Conflict*, xiii, 277–278; Elliott, *Winfield Scott*, 698. For northern newspapers' mockery of Scott's plan to economically blockade the South instead of invading, see J. B. Elliott, *Scott's Great Snake* (n.p.: 1861), map, https://www.loc.gov/item/99447020. Also see Sutherland, "Sideshow No Longer"; and Myers, "Guerrilla Wars."

This book does away with a "regular" and "irregular" dichotomy in describing war and warriors in Civil War military history. Evidence documenting "irregular" violence is constantly growing and reinforcing the role of guerrillas (and their tactics) in affecting the war's savagery and its political outcomes. Further evidence shows that soldiers "shifted back and forth from conventional to unconventional service with a surprising ease that belies any strict categorization" and that these fighters were "not unique."

Some historians worry that a book like this will detract from the U.S. military's accomplishments—emancipation and union—because the "analytical risk of overemphasizing the [war's] dark side is that readers who do not know much about the war might infer that atypical experiences were in fact normative ones." The characters and acts of violence in this book were atypical. The larger occupational war they existed in was *not*.

Clausewitz, *On War*, 16; Noe, "Foreword," xi, xviii; Gallagher and Meier, "Coming to Terms."

In addition to guerrilla historians illustrating such fluidity among warriors, other scholars have shown fluidity among civilians; see Browning, *Shifting Loyalties*; and Foote, *Yankee Plague*.

27.4 Jomini did not ignore irregular tactics. He particularly credited irregulars' speed and ability to reconnoiter and harass enemy troops. Still, he did this in passing and emphasized that they must be "supported by disciplined troops" to be of value. Jomini's overarching picture of warfare reflected the binary approach present in Civil War military history: professional armies fought fair, guerrillas did not, and modern nation-states should employ only professionals for civilization's sake.

Jomini, *Art of War*, 29, 42, 66, 176, 314; Clausewitz, *On War*, 3–4, 53–55, 457–462.

Civil War historians have overemphasized Jomini's philosophy of war. *As* historian Carol Reardon noted, "[m]ost of the notions that Civil War historians have denoted as 'Jominian'—such as concentration, a preference for maneuver over battle, and other concepts—existed in some form and appeared in European military literature well before Jomini began to write." Even more telling, pre-Civil War West Point cadets "studied military strategy for only eight class periods during the spring semester of first-class (senior) year, and, until at least 1854, they read only extracts of Jomini's work."

Civil War generals learned more from trial and error than they did from Jomini or from any other shared military theory.

Reardon, *With a Sword*, 1–13; Morrison, *Best School in the World*, 93–101. For the opposite argument, see Hittle, *Jomini and His Summary*.

On the other hand, some of the Civil War field's most influential guerrilla historians saw *only* Clausewitz's downward spiral of violence. Historian Michael Fellman's Inside War (1989) defined guerrilla war as "intrinsically ruthless and inconclusive" and, more importantly, defined the Civil War guerrilla for a generation. In Fellman's telling, guerrillas weaponized terror, dissolving Missourians' culture, governing institutions, and psychological stability in the process. Their "random violence and unending fear" pitched the state into a downward spiral of "blood sport" among bushwhackers, Federal occupiers, and civilians. Fellman's guerrilla was man in his most bestial, most anarchic, and most nihilist form, welcoming with open arms the "wild and ferocious passions" existent "in the breasts of the people of educated and Christian communities."

Fellman, *Inside War, x*, xvi, xix, 265–266. Fellman's analysis delved into psychological methodologies. Concerning his portrayal of guerrilla war as blood sport, he stated "although no records of such guerrilla sentiments remain, judging from their behavior, I am certain that they had the same attitude toward blood sport" (180). Also see Grossman, *On Killing*; Grossman and Christensen, *On Combat*; Arendt, *On Violence*; and Marlantes, *What It Is Like*.

Other histories try to find a balance between these interpretations. Were guerrillas exceptionally savage? Absolutely, but they weren't the only fighters employing savagery. Were they nihilistic, and did they choose their targets at random? Not always. In fact, guerrillas often "targeted Union war industries—small garrisons, Unionist militias, railroads, telegraph lines, and supply trains—and mainly operated in locations previously occupied by small outfits of Union troops." Furthermore, guerrillas justified their actions as communal defense against Union occupation. Historian Stephen Ash argued that guerrillas "were not freebooters; they were constituents of the local community and thus subject to its will." In many cases, there was a method to guerrillas' madness.

Fialka, *Of Methods and Madness*; Fialka, "Controlled Chaos"; Ash, *When the Yankees Came*, 64–65; and McKnight and Myers, *Guerrilla Hunters*.

27.5 For studies on antebellum manhood, see Beilein, *Bushwhackers*; Berry, *All That Makes a Man*; Franklin, *Militant South*; and Wyatt-Brown, *Southern Honor*.

Anecdotes of violence come from *History of Howard and Chariton Counties*, 247–249; and *Columbia Herald-Statesman*, 5 November 1847.

The digital history project Invasion of America maps land cessions and treaties between Native Americans and the United States. The project also provides links to primary sources of said cessions and treaties. See Saunt, Invasion of America. See also Saunt, *Unworthy Republic*.

For Congress's violent debates over slavery's expansion, see Freeman, Field *of Blood*.

Disease and warfare contributed to Native American genocide. Concerning warfare, racism enabled Europeans and Americans to justify violence. Whites employed any means necessary to win wars against Indigenous peoples and then won them again by writing excuses and justifications into our memory of those wars. For example, both whites and Natives committed acts of torture and mutilation, but whites wrote that while such acts disgusted them, Natives found pleasure in the same acts. Whites defined Natives' seminomadic culture and lack of a centralized, bureaucratic governing body as uncivilized and then concluded that the laws of civil nations and laws of war did not apply to uncivilized populations. Regarding the Plains Wars of the late nineteenth century, West Point taught that "laws of war did not apply to aboriginal peoples—just as they did not apply to guerrillas—for the simple reason that 'savages' did not abide by those laws." Indeed, the military historiography on such wars describes all modes of warfare used with "an ugly sameness."

Lepore, *Name of War*, ix, xiv, 11–12, 113, xiv; Birtle, *U.S. Army Counterinsurgency*, 62; Keeley, *War before Civilization*, 174.

For important works in Native American military historiography, see Blackhawk, *Violence over the Land*; Lee, *Empires and Indigenes*; Chet, *Conquering the American Wilderness*; Grenier, First *Way of War*; Malone, *Skulking Way of War*; Hamalainen, *Comanche Empire*; and Lee, *Barbarians and Brothers*.

For a catalog of articles specific to Missouri's Indigenous population, see the State Historical Society of Missouri, "Native American Experience Research Guide," https://shsmo.org/researdh/guides/native-american.

87.6 Rotundo, *American Manhood*; Laura F. Edwards, *People and Their Peace*; and Adams, *Memoirs of John Quincy Adams*, 492.

88.7 Goldfield, *Still Fighting the Civil War*, 336–337.

In 1998, historian Edward Ayers also criticized the war's common interpretation and called for a "new revisionism." Ayers worried that the popular interpretation of the war promoting "respect for the warriors on both sides with an idealistic vision of the war's purpose" would lead Americans to believe that the war settled our nation's differences; and if those differences were already settled, Americans would be less likely to strive to better ourselves or our ideals in the future. Instead, Ayers argued, historians should acknowledge and reckon with "all of the past" to ensure the Civil War still served a purpose in the present.

Ayers, "Worrying about the Civil War." Ayers mainly credited James McPherson's Battle *Cry of Freedom*, published in 1988, and Ken Burns's Civil War documentary series that aired on PBS in 1990 with entrenching the popular interpretation described here. For information on Burns's documentary, see PBS, *The Civil War: A Film by Ken Bums*, http://www.pbs.org/kenburns/civil-war/.

The two key elements in just war theory are "*jus ad bellum* (the justness of going to war) and *jus* in hello (justness in war)." More specifically, just wars are those fought "as a last resort or in self-defense" and employing only the necessary amount of force to win, sparing civilians from violence as much as possible.

MacKinnon and Fiala, *Ethics*, 534–538. See also Walzer, *Just and Unjust* Wars.

Many scholars argue that the Union waged a just war. U.S. military policy featured "humane restraints," particularly against noncombatants and their property but also against former Confederates indicted for treason. The spirit of the U.S. military's laws of war justified the use of force by emphasizing speed —"just wars *were by necessity* wars in which armies did nearly whatever was necessary to end war as quickly as possible," even if that meant Lincoln bending the Constitution's rules. For every anecdote of brutality—such as the contents of this book—one can find an anecdote of restraint, the most pivotal being "the decision by enslaved people to pursue freedom rather than revenge. Of the half a million people who fled to freedom during the war, only a tiny minority stopped to perpetrate violence against their masters or other white Southerners." That the United States even attempted to impose and enforce laws of war, along with the decisions of the enslaved, resulted in a "paradoxical blend of violence and restraint" instead of the bloodier alternative: wholesale slaughter.

Dilbeck, *A More Civil War*, 1–11; Blair, *With Malice toward Some*; Neely, *Fate of Liberty*; and Sheehan-Dean, *Calculus of Violence*, 355. See also Grimsley, *Hard Hand of War*.

88.8 Benchmark works in occupation studies include Grimsley, *Hard Hand of War*; Ash, *When the Yankees Came*; Whites and Long, *Occupied Women*; and Whites and Frank, *Household War*.

For works on military occupation during Reconstruction, see Lang, *In the Wake of War*; and Downs, *After Appomattox*.

89.9 The Missouri Compromise of 1880 admitted Missouri into the Union as a slave state and Maine as a free state, and it outlawed slavery's expansion above the 36°30' latitude line (Missouri's southern boundary). The Kansas-Nebraska Act's institution of popular sovereignty repealed this earlier compromise.

See, in particular, Etcheson, "Goose Question," and Mullis, "Illusion of Security," both in Earle and Mutti Burke, *Bleeding Kansas, Bleeding Missouri*. For more on the border war, see Oertel, *Bleeding Borders*; and Etcheson, *Bleeding Kansas*.

89.10 For a traditional military history of Civil War Missouri, see Gerteis, *Civil War in Missouri*. For histories of Missouri's guerrilla war, see Fellman, *Inside War*; Beilein, *Bushwhackers*; and Earle and Mutti Burke, *Bleeding Kansas, Bleeding Missouri*. For Fremont's declaration, see *O.R.,* Series 2, Vol. 1, 221–222. For quotes and more on stereotypes of Missourians, see Fellman, *Inside War*, 11, 13–22. For an analysis of Missourians' "survival lying," see Fellman, *Inside War*, 48–49.

89.11 For a database of guerrilla violence based on Missouri's provost marshal papers and an explanation of that source's limitations, see Fialka, *Of Methods and Madness*. To access Missouri's provost marshal papers, see the State Historical Society of Missouri, Missouri Digital Heritage, Missouri's Union Provost Marshal Papers: 1861–1866, https://sl.sos.mo.gov/records/archlves/archivesdb/provost/.

For a description of Missouri's evolving occupational policies and their locations in the *O.R.,* see chapter 3, note 47.

For quotes, see Phillips, "Shadow War." For more information on arrests, see Curran, *Women Making War*.

30.18 For quotes, see Castel and Goodrich, *Bloody Bill Anderson*, 27; and Fellman, *Inside War*, 95.

On the Kansas City jail collapse, see Harris, "Catalyst for Terror"; and Castel and Goodrich, *Bloody Bill Anderson*, 26–27. For Ewing's Order No. 10, see *O.R.,* Series 1, Vol. 22, Pt. 2, 460–461. For the best account of the Lawrence Massacre, see Goodrich, *Bloody Dawn*. For Ewing's Order No. 11, see *O.R.,* Series 1, Vol. 22, Pt. 2, 473. Order No. 11 allowed for "the provisions of General Orders, No. 10 . . . [to be] at once vigorously executed." Therefore, Order No. 11 legalized the systematic removal of all families in a little over three counties and of families deemed disloyal in all eight Missouri counties in the District of the Border. See Fellman, *Inside War*, 95; Castel, "Order No. 11"; Niepman, "General Orders No. 11"; and Charles R. Mink, "General Orders, No. 11." General John M. Schofield claimed in a September 8, 1863, diary entry that he was "determined to modify Genl. Ewing's order . . . so that no property [particularly forage and grain] shall be destroyed." It was not until 20 November 1863, two months later, that General Ewing's Order No. 20 allowed loyal citizens to move back into their homes. See John McAllister Schofield, *Diary of Events in Department of Missouri, 1863*, box 1, John McAllister Schofield Papers, Library of Congress; and *O.R.,* Series 1, Vol. 22, Pt. 2, 713–714.

30.13 Vonnegut, *Slaughterhouse-Five*, 22.

This story's main characters are white men. It is important to note, however, that white women sustained Missouri's guerrilla war. Furthermore, scholars have convincingly argued how women dictated Confederate nationalism, U.S. military policy toward southern civilians, and irregular war. Historian Drew Gilpin Faust even argued that "the Confederacy did not endure longer" because "so many women did not want it to. . . . It may well have been because of its women that the South lost the Civil War."

For women's role as guerrillas' domestic supply line, see chapter 1, note 7.

For women's role in sustaining Confederate nationalism and morale, see Rable, *Civil* Wars; Clinton and Silber, *Divided Houses*; McCurry, *Confederate Reckoning*; and Frank, *Civilian War*.

For women's role in the Confederacy's collapse, see Faust, "Altars of Sacrifice"; Berlin, "Did Confederate Women Lose?"; and Foote, *Yankee Plague*.

31 Maps and chart created by Andrew Fialka. The maps' county lines and demographic data come from University of Minnesota, "National Historical Geographic Information System," https://www.nhgis.org/. Navigable river lines come from Atack, "Historical Transportation SHP Files." Railroad lines come from Thomas, Railroads and the Making of Modern America.

31.14 For Missouri's prewar political context, see Astor, *Rebels on the Border*; and Fellman, *Inside War*. Quotes from Astor, *Rebels on the Border*, 8; Fellman, *Inside War*, 5.

For election returns, see Dubin, *United States Presidential Elections*; and Dubin, *United States Gubernatorial Elections*.

For a description of Missouri's numerous militia, see chapter 6, note 112.

Chapter 3. The Spy

34 The quotations reflect the divided attitudes toward Terman and his methods within the U.S. military.

For Harding and Van Hom, see Washington, DC, National Archives, Series: Court-Martial Case Files, compiled 12/1809-10/1894, Case against J. W. Terman (hereinafter *Terman's Court-Martial Trial*), *215, 221*. For a thorough explanation of this source, see chapter 4, Note on Sources. For Crook, see *O.R.,* Series 1, Vol. 34, Pt. 4, 350–351. For Ewing, see 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 22705. For Hine, see Terman, J W, "Papers Relating to Citizens, compiled 1861–1867," National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345. For Fisk, see *O.R.,* Series 1, Vol. 34, Pt. 4, 270. For Bassett, see Bassett, J M, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0029, Publication Number P2282. For Rosecrans, see *Terman's Court-Martial Trial*, 114. For Patterson, see *O.R.,* Series 1, Vol. 34, Pt. 4, 286. For Tichenor, see *O.R.,* Series 1, Vol. 48, Pt. 2, 587. For Simpson, see 1864 Missouri *Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912. For Harman, see Harry Truman, "Compiled Service Records of Volunteer Union Soldiers Who Served in Organization from the State of Missouri," National Archives, Washington, DC, Record Group 94, Roll 0843, Publication Number M405.

Terman's physical appearance comes from multiple sources. Most notably, an 1866 penitentiary record confirms the existence of a tattoo on Terman's left arm, which a newspaper reporter described as "printed in Indin [sic] ink, [with] the following letters and figures: 'J. W. T., Born Nov. 20, 1829,' and the world-renowned Fremason's [sic] sign, the square and compass. These marks were the ones by which he was designated and recognized when sent from one Federal commander to another on secret service."

St. *Joseph Weekly Herald and Tribune*, 14 July 1864; Missouri State Archives, "Missouri State Penitentiary Database," Record. Group S213, Volume C, Page 83, https://sl.sos.mo.gov/records/archives/archivesdb/msp/Detail.aspx?id=59937 (accessed January 14, 2023). See also "U.S. Military Telegraph, July 17, 1863," in Terman, J W, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347.

Historian Joseph M. Beilein Jr. used reports of alcohol consumption to analyze guerrillas' masculinity: "Whiskey helped increase bravery (or lessen fear, depending on the perspective), made killing another man easier, and helped fighters endure the physical and emotional pain of warfare in a manly way. Drinking together . . . could also instill among a cohort of fighting men a sense of brotherhood. . . . For many men in the nineteenth century and for fighters especially, strong drink was a central element of what made them men." There are copious references to Terman's alcoholism, a majority of which describe gross excess. The civilian guide Ephraim Clark noted that "Capt. Truman during the time I have been associated with him has been half of the time what might be considered drunk all of the time or nearly or under the influence of liquor." Much like Anderson's eighty guerrillas drinking (at least) one barrel of whiskey at Centralia, Terman's men casually referenced drinking "2 or 3 Gallons [of] whiskey" in a night. This book applies Beilein's analysis of guerrillas' drinking to Terman.

Beilein, "Whiskey, Wild Men," 239; 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10159. References to Terman's drinking appear in every primary source consulted for this book. See the quotes below and, NARA, Terman, J W, folder, "Correspondence,

Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, Entry 36, Box 19.

35 For the newspaper interview, see *St. Joseph Weekly Herald and Tribune, 14* July 1864. For the only academic biographies of Terman, see Wood, "Harry Truman"; and Farley, "Missouri Waltz."

Terman's parents—William Terman and Eliza Hoff—are located in 1830 United States Federal Census, Marietta Ward 1, Washington, Ohio; 1840 United States Federal Census, Johnson, Indiana; 1850 United States Federal Census, Nineveh, Johnson, Indiana; and Graham and Cottle, *Washington County Ohio Marriages*, 72.

There is a "J W Termun" on the *1859 Kansas Territory Census* and a reference to Terman's residence in Kansas in an 1879 newspaper.

No other historical records confirm Terman's story. Terman is not listed as a Mexican War veteran in William Hugh Robarts's roster. No variation of his name exists on the Texas State Library and Archive's Texas Adjutant General Service Records database or in any of the resources held in the Texas Ranger Hall of Fame and Museum. Terman is not listed in any rosters of Kansas regiments. Terman is not named in the 25th Missouri Volunteers' regimental history.

Kansas State Historical Society, Topeka, Kansas, 1859 *Kansas Territory Census*, Roll: ks1859_1, Line 15; *Holton Signal, 26* November 1879.

Robarts, *Mexican War Veterans*. Texas State Library and Archives Commission, "Introduction to the Texas Adjutant General Service Records," https://www.tsl.texas.gov/arc/service/introhelp.html (accessed July 14, 2021).

Resources consulted at the Texas Ranger Hall of Fame and Museum include Henry W. Barton, *Texas Volunteers*; Spurlin, *Texas Veterans*; and Spurlin, *Texas Volunteers*. These were created from the *Compiled Service Records of Volunteer Soldiers Who Served during the Mexican War in Organizations from the State of Texas*, National Archives; Ingmire, *Texas Ranger Service Records, 1830–1846*; and Ingmire, *Texas Ranger Service Records, 1847–1900*.

See also Burke, *Military History of Kansas Regiments*; and Neal, *Illustrated History*.

36 & 37 For quotations, see St. *Joseph Weekly Herald and Tribune*, 14 July 1864; and an affidavit Terman penned on 13 March 1863: Terman, Jacob W., "Papers Relating to Citizens, compiled 1861–1867," National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345.

For historical paintings, see Carl Nebel, Battle *of Vera Cruz*, 1851; Walter Russell, *The Civil War in Kansas*, 1879, found in Ellis, *History of Our Country*, 835; and John Steuart Curry, *Tragic Prelude*, 1942.

For an image of the guerrilla George Todd (standing at right in panel 37.2), see John Newman Edwards, Noted *Guerrillas*, 52. For images and a bibliography of Quantrill (mounted), see Beilein, *Man By Any Other Name*; and Stanley, "Quantrill, William Clarke."

For more on the First Battle of Independence, see Perkins, "First Battle of Independence."

38 For quotations, see *Terman's Court-Martial Trial*, 117, 215, 221; *O.R.,* Series 1, Vol. 34, Pt. 4, 372.

The War Department developed its intelligence capability in ad hoc fashion. Historian Edwin Fishel argued that there "was no guiding hand at Washington supervising or even keeping in touch with this development. The War Department itself did not have an intelligence unit. Each general in the succession of commanders . . . was left to his own devices in arranging for intelligence. . . . The maturing of intelligence capability came about by sheer force of necessity." Indeed, it was not until 1863 that U.S. major general Joseph Hooker established the first formal intelligence operation-the Bureau of Military Information. Fishel's analysis focuses on the effect of intelligence on conventional campaigns—not the occupational war that is the subject of this book.

For histories of the Secret Service published by its practitioners, see Baker, *History*; and Pinkerton, *Spy of the Rebellion. For* modern histories, see Fishel, Secret *War for the Union*, 3; and United States Government, *Intelligence in the Civil War*. This last source has an excellent "Suggested Readings" list and is available online

at https://web.archive.org/web/20150906081015/https://www.cia.gov/library/publications/intelligence-history/civil-war/Intel_in_the_CWI.pdf.

General Blunt, to whom Terman reported, actually commanded the Department of Kansas (which included Kansas, Indian Territory, Nebraska Territory, Colorado Territory, and Dakota Territory) from 2 May 1862 to 19 September 1868, and the District of Kansas (just the State of Kansas) from 2 November 1862 to 9 June 1863. General Blunt was an abolitionist and a member of the Republican Party and fought proslavery forces during the Bleeding Kansas crisis, riding with James Lane's jayhawkers in 1861. Terman likely reported to Blunt when Blunt commanded the District of Kansas, even though Terman crossed geographic lines and out of Blunt's command into Jackson County, Missouri.

Colonel Harding commanded the District of Northwest Missouri («north of the Missouri River and west of the eastern boundary of Linn County") from 10 April 1863 to 23 June 1863 before moving to New Madrid on the Mississippi River. He served as colonel of the 25th Missouri Volunteers in 1863 before commanding the District of Northwest Missouri.

Brigadier General Ewing commanded the District of the Border ("the State of Kansas north of the 38th parallel and the two western tiers of counties in Missouri north of the 38th parallel and south of the Missouri River") from 9 June 1863 to 1 January 1864, when the Department of Kansas subsumed the district.

Brigadier General Brown commanded the District of Central Missouri ("the region between the Missouri and Osage Rivers in Missouri") from 3 September 1864 to 3 November 1864.

See "United States Army Military Divisions, Departments, and Districts" in Eicher and Eicher, *Civil War High Commands*, 830, 834, 839, 821–822.

For biographical Information on Blunt, see Blunt, "General Blunt's Account," available online at https://www.kshs.org/p/general-blunt-s-account-of-his-civil-war-experiences/12543; and Collins, *General James G. Blunt*.

For Colonel Chester Harding's service record, see Eicher and Eicher, *Civil War High Commands*, 280; and Hunt and Brown, *Brevet Brigadier Generals in Blue, 260*.

40.1 No evidence explicitly confirms Terman's infiltration of George Todd's guerrilla band or the Knights of the Golden Circle, a secret organization in northern states aligned with the Confederate cause. However, a report from General Blunt to his commanding officer dated 17 April 1863 told of a rebel plan to "move upon Kansas" through Indian country, led by Sterling Price: "This opinion is confirmed by information I obtain through the Knights of the Golden Circle. I have a man who joined some time since in Missouri for certain purposes. He has been for some time with Todd's band of guerrillas in Jackson County, and is well posted in the working of the order, and the purposes for which they are organized."

Four pieces of circumstantial evidence mark Terman as the man Blunt referenced here. First, two Bates County histories from the 1880s tell of a charismatic guerrilla leader named «Bill Turman" operating just south of Jackson County. A 1961 *Civil War History* article believed this guerrilla to actually be Terman. The second body of evidence is Terman's own story of infiltrating the Knights on Blunt's orders. He repeated the claim on five occasions—from a Cape Girardeau prison in July 1863; in letters to Major General Schofield and Colonel Brodhead while imprisoned at the Myrtle Street Prison in St. Louis in July and August 1863; during his court-martial trial in July 1864; and in an interview with

the St. Joseph *Weekly* Herald and *Tribune* published on 14 July 1864. The third piece of evidence is the 18 March 1863 affidavit of S. H. Hornbeck, who claimed to be arrested by mistake for deserting the 4th Missouri Cavalry. Hornbeck was imprisoned with Terman and swore that Terman "spoke of Maj. Burriss and said he had played it off [his role as a spy] on him far enough to get a detective commission" and "seemed greatly pleased at having deceived Col. Renick and Gen. Blunt." Major J. M. Bassett, provost marshal of the District of Northwest Missouri, defended Hornbeck's affidavit in trying to keep Terman imprisoned. (Hornbeck's affidavit also supports Terman's claims that he continued impersonating a guerrilla and Confederate—not Union—spy while imprisoned.) Last, Provost Marshal General Sanderson's preoccupation with exposing the Knights of the Golden Circle and willingness to employ Terman in 1864 indicate that Terman had substantial information about the organization.

O.R., Series 1, Vol. 22, Pt. 2, 223–224; Farley, "Missouri Waltz"; History *of Cass and Bates Counties*, 998–999; Tathwell, *Old Settlers' History*, 204–205; NARA, "Papers of and Relating to Military and Civilian Personnel, 1861–1865", RG 109, Roll 0389, Publication Number M347; NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, Entry 36, Box 19; *Terman's Court-Martial Trial—Terman Statement*; *St. Joseph Weekly Herald and Tribune*, 14 July 1864; NARA, "Papers Relating to Citizens, compiled 1861–1867," RG 109, Roll 0264, Publication Number M345; and Bassett, J M, "Records of the Adjutant General's Office, 1762–1984," NARA, RG 94, Roll 0029, Publication Number P2282.

The Knights of the Golden Circle (KGC)—and its later rendition as the Order of American Knights—was a secret society with the purpose of overthrowing the U.S. government and creating a Northwestern Confederacy. Historians disagree on whether the society was a legitimate threat. Stephen Towne cited foiled uprising plots in Chicago and Indianapolis and the Lincoln administration's arrest and conviction of leading conspirators to argue that it was. However, in Missouri, the 1864 raid to retake the state led by General Sterling Price (believed to be connected to the society) failed partly due to Price's miscalculation that Missouri secessionists and KGC members would rise up and join his army.

For Sanderson's report on the Knights, see *O.R.,* Series 2, Vol. 7, 228–366. For a description of Rosecrans's and Sanderson's roles in investigating the Knights, see Frank L. Klement, "Phineas C. Wright, the Order of American Knights, and the Sanderson Exposé," in Element, *Dark Lanterns*, 64–90; Nichols, *Guerrilla Warfare*, 3:179–183; Towne, *Surveillance and Spies*; Gerteis, *Civil War St. Louis*, 196–200; Boman, *Lincoln and Citizens' Rights*, 252–255; and Anderson, *Story of a Border City*. For the newspaper coverage of the Knights, leaked by Rosecrans, see *Daily Missouri Democrat* [St. *Louis Globe-Democrat]*, 28 July 1864. For an overarching view of the society, see Keehn, *Knights of the Golden Circle; Authentic Exposition of the* "*K. G. C.*"; and Fesler, "Secret Political Societies."

40.2 Colonel Harding confirmed during Terman's court-martial trial that he had employed Terman, swearing under oath that Terman acted "as scout and spy under me when I was in military service in this region [Northwest Missouri] and in the neighborhood of New Madrid Mo. This was in the spring and summer and fall of 1863." Harding also admitted to employing Terman as a scout in documents contained in "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1868-1866" at the National Archives. At first, Harding was suspicious of Terman's character, admitting "it was my custom to place some of my own true men upon his trail as shadow. After a good many trials and finding that he was acting in good faith I trusted him on expeditions without taking this precaution." In fact, Harding came to rely on Terman so much that he described him as "always true

and faithful" and agreed to serve as Terman's attorney during the court-martial trial.

More damning, both Major General Rosecrans and Colonel Sanderson confirmed Terman's employment as a spy under Harding during Terman's court-martial trial. Sanderson even noted that Colonel Bassett—the provost marshal of Harding's District of Northwest Missouri—"had him [Terman] employed." Bassett's own admission that "a person by direction of Colonel Harding, and by virtue of these secrets, gained admission to a [Knights of the Golden Circle] lodge, and obtained full information of the objects and intentions of the order" lends credence to Terman's claims about his duties under General Blunt and establishes Terman's repeated service under provost marshals.

Last, Robert T. Van Horn, provost marshal for the District of the Border, confirmed during the court-martial trial that Terman was "entirely reliable and trustworthy . . . [f]rom my knowledge obtained of him while in the employ of Colonel Harding. . . . I was Lieut. Col. of the 25th Regt. Mo Volunteers at the time."

Terman's Court-Martial Trial, 214–215, 107, 119, 222; NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19; Bassett, *Union Men and Their Sufferings*, 22, available at https://civilwaronthewestemborder.org/islandora/object/civilwar%253A1890?islandora_paged_content_page=l. For Harding's reappointment to New Madrid, see *O.R.*, Series 1, Vol. 22, Pt. 2, 333.

In the 14 July 1864 interview with the St. *Joseph Weekly* Herald and *Tribune*, Terman claimed (1) that he infiltrated M. Jeff Thompson's cavalry around New Madrid and (2) that he served Colonel Harding on the recommendation of General Blunt because Harding requested a spy "who was recognized by the Knights as a member." Neither claim is substantiated. Brigadier General Meriwether Jeff Thompson's exploits as cavalry commander of the (Confederate) Missouri State Guard earned him the moniker "Swamp Fox."

St. *Joseph Weekly Herald and Tribune*, 14 July 1864; Allardice, *More Generals in Gray*, 219–220.

40.3 Multiple sources confirmed Terman's service as a spy in Brigadier General Ewing's District of the Border. At Terman's court-martial trial, Colonel Sanderson, Major General Rosecrans, and Colonel Harding all verified Terman's story of serving under Ewing. Additionally, Robert T. Van Horn (who previously worked with Terman under Colonel Harding) confirmed that Terman "was acting as a scout and detective" while he was District of the Border provost marshal under Ewing and that he had "recommended him [Terman] to Ewing."

Terman's Court-Martial Trial—Terman Statement, 103–104, 107, 113, 117, 216–217, 221–222.

There is no primary evidence of Ewing directly admitting to employing Terman. The only document in Ewing's hand regarding Terman is an appeal to Colonel Sanderson during Terman's court-martial trial in which Ewing stated, "Having little doubt his [Terman's] victims richly deserved killing, I hope you will get a careful revision of the proceedings before he is punished, if convicted." However, other U.S. officers confirmed Terman's role under Ewing. In July 1863, the provost marshal of St. Louis, Captain C. C. Allen, conversed with Ewing about Terman. That conversation's paper trail does not exist, but Allen referenced the conversation in two other sources, stating that Terman was "represented as a Dangerous man by Genl Ewing" and that Terman was "wanted by Gen Ewing."

For Ewing's letter, see 1864 *Missouri's Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 22705. For Allen's references, see 1864 *Missouri Union Provost Marshal*

File of Papers Relating to Individual Citizens: Case against Terman, J. W., alias Harry Tourman, Ellis Library Special Collections, Columbia, MO, File 11195%; and Terman, J W, "Papers of and Relating to Military and Civilian Personnel, 1861–1865," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347.

There are no references to Terman in the papers of Thomas Ewing Jr. held at the Kansas Historical Society. See "Thomas Ewing, Jr., Papers" (microfilm edition), manuscript division, Kansas State Historical Society, Topeka.

Ewing was quick to condemn Terman's conduct *after* his reign of terror (depicted in the next chapter).

O.R., Series 1, Vol. 41, Pt. 2, 36.

40.4 No evidence links Terman with Quantrill. However, multiple field reports to Brown written by Terman do survive, along with Colonel Harding's statement that he knew Terman to be "employed by General . . . Brown."

For Terman's field reports, see Terman, J W, "Records of the Adjutant General's Office, 1762–1984," NARA, Washington, DC, Record Group 94, Roll 0030, Publication Number P2282. For Harding's statement, see *Terman's Court-Martial Trial*, 216–217.

41 Most sources documenting guerrillas' actions are vague and imply criminal activity by referencing guerrillas "infesting" a county and committing "depredations" or "bushwhacking," or simply someone "acting as a guerrilla." Sources depicting Terman's actions while serving as a spy fit this mold, describing Terman "commit[ting] a great many crimes" in Jackson County and "stealing" under Colonel Harding's command.

For example, see Bassett, J M, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0029, Publication Number P2282; *Leavenworth Times*, 19 May 1863.

42 Images for Blunt and Harding courtesy of biographical sources in note 38. Images for Robert T. Van Horn courtesy of the Kansas City Public Library. Image for Thomas Ewing Jr. courtesy of Deborah Keating, Kansas City Public Library's Civil War on the Western Border, "Ewing, Thomas, Jr.," https://civilwaronthewestemborder.org/encyclopedia/ewing-thomas-Jr. Image for Brown courtesy of Wilson's Creek National Battlefield, WICR 31447, available at https://ozarkscivilwar.org/photographs/brown-egbert-b/.

The illustrations on this page reflect the few descriptions we have of how Terman transmitted intelligence—reports penned by Terman or officers discussing his information—or follow the most likely alternative: Terman's numerous requests for "personal interviews" with U.S. officers when trying to get out of prison. Major General Rosecrans and Colonel Sanderson admitted to having such an interview with Terman during his court-martial trial.

Terman's Court-Martial Trial, 101–121.

42.1 We silhouetted the figure on the right because no direct evidence puts Blunt and Terman in the same room. Blunt did receive Terman's intelligence, but no evidence describes how.

O.R., Series 1, Vol. 22, Pt. 2, 223–224.

42.2 For Harding's report, see *O.R.,* Series 1, Vol. 22, Pt. 2, 179; and *Terman's Court-Martial Trial*, 215. The intelligence concerned the Knights of the Golden Circle, Confederate general Sterling Price's plan to invade Missouri, and spies in the Enrolled Missouri Militia.

For records of the intelligence as described by Terman in letters to Provost Marshal Bassett and in an affidavit, see Terman, J W, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347; Bailey, Samuel P, "Papers Relating to Citizens," National Archives, Washington, DC, Record Group 109, Roll 0013, Publication Number M345; and 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Terman, Jacob*

W., Ellis Library Special Collections, Columbia, MO. (See chapter 4, Notes on Sources for a description of Terman's four different provost marshal files.)

Colonel Harding's provost marshal, Major J. M. Bassett, repeated Terman's intelligence in his postwar memoir. See Bassett, *Union Men and Their Sufferings*.

42.3 *Terman's Court-Martial Trial*, 221.

42.4 Terman sent two reports to Brigadier General Brown, on 11 Feb 1864 and 14 March 1864, both written on letterhead of the Office of the Assistant Provost Marshal for the Sixth Sub-District of Central Missouri. A report from the O.R. also confirms Terman's work as a scout under Brown.

Terman, J W, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0030, Publication Number P2282; and *O.R.,* Series 1, Vol. 34, Pt. 2, 254.

Terman mentioned his service under Brown at his court-martial trial, and it was confirmed by Colonel Harding at that time. Postwar newspaper coverage also referenced Terman's service under Brown.

Terman's Court-Martial Trial—Terman Statement, 216; *Warrensburg Standard*, 26 January 1866.

43.2 Harding's report did not mention Terman by name, but the similarities between Terman's intelligence cited in note 42.2 and the intelligence referenced by Harding and Blunt suggest Terman's involvement. A newspaper also reported the raid on the Knights of the Golden Circle lodge.

O.R., Series 1, Vol. 22, Pt. 2, 179, 224; *Liberty Tribune*, 10 April 1863.

Knights of the Golden Circle lodges are described in Keehn, *Knights of the Golden Circle*, 3.

43.3 *Terman's Court-Martial Trial*, 221.

43.4 Terman, J W, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0030, Publication Number P2282.

44.1 Bassett noted in the March 18 report that he "obtain[ed] a squad of men from Fort Leavenworth to aid in making the arrest." Terman confirmed Bassett's description of his arrest while serving under General Blunt in a statement to the provost marshal on 13 March 1863. Two newspapers also reported Terman's arrest during this period, one stating "J. W. Terman, of Tod's [sic] and Quantrel's [sic] band of guerrillas, charged with theft and murder," the other referring to Terman as a Red Leg—the Red Legs being an abolitionist paramilitary outfit of Kansans often misrepresented as jayhawkers—and a "bold secessionist, [who] has long been a terror to the loyal inhabitants in the border counties of Missouri."

For Bassett quote, see Bassett, J M, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0029, Publication Number P2282. For Terman's statement, see Terman, J W, "Papers Relating to Citizens, compiled 1861–1867," National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345. Also see *St. Joseph Weekly Herald and Tribune*, 19 March 1863; and *Liberty Tribune*, 3 April 1863.

For more on Red Legs, see O'Bryan, "Red Legs."

44.2 Multiple newspaper accounts confirm Terman's telling of his May 1863 arrest in Johnson County (documented in an affidavit against a suspected Knights of the Golden Circle member).

Bailey, Samuel P, "Papers Relating to Citizens," National Archives, Washington, DC, Record Group 109, Roll 0013, Publication Number M346; *Leavenworth Times*, 19 May 1863; *Daily Missouri Republican*, 23 May 1863.

44.3 Three different sources catalog Terman's July 1863 arrest in Bloomfield, Missouri, by Brigadier General Davidson. First, numerous documents from the receipts of the Myrtle Street Prison (St. Louis) show the most complete picture of Terman's service pattern, from arrest to admittance of spying to release. Second, a set of documents compiled by the St. Louis provost marshal's office confirms information from the Myrtle Street Prison receipts. Last, documents in one of Terman's provost marshal files confirm the arrest.

For the Myrtle Street Prison receipts and St. Louis provost marshal documents, see Terman, J W, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347; and Truman, Harry, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0398, Publication Number M347. Also see 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Terman, J. W., alias Harry Tourman*, Ellis Library Special Collections, Columbia, MO, File 111951/2.

48.1 More specifically, Terman stated that Quantrill and Todd's goal was "to kill as many regular soldiers" as possible, "rob the U.S. mails . . . and keep as many troops in country as possible." Furthermore, Terman claimed that seventy thousand Confederate soldiers under Major General Sterling Price planned to invade Missouri in the spring of 1864 and instigate an uprising of Missouri's secessionists.

Terman, Jacob W, "Papers of and Relating to Citizens, compiled 1861–1867" National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345; Terman, J W, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347. For a description of Terman using his tattoo to reveal himself, see chapter 3, note 34.

48.2 Terman, J W, "Papers of and Relating to Military and Civilian Personnel," National Archives, Washington, DC, Record Group 109, Roll 0389, Publication Number M347.

46.1 Concerning his service in Jackson County, Terman's story—published in the 14 July 1864 edition of the *St. Joseph Weekly Herald and Tribune*—noted only that he was in St. Joseph "and on some charge was thrown into jail; but after an explanation was released." *Leavenworth Times*, 19 May 1863; *St. Joseph Weekly Herald and Tribune*, 14 July 1864.

46.2 *Leavenworth Times*, 19 May 1863; *Daily Missouri Republican*, 23 May 1863; *St. Joseph Weekly Herald and Tribune, 14* July 1864; *Terman's Court-Martial Trial*, 214–219; *O.R.,* Series 1, Vol. 22, Pt. 2, 333.

46.3 The same paper trail documenting Terman's arrest in Bloomfield, Missouri, catalogs his transfer through Cape Girardeau to Myrtle Street Prison in St. Louis, and then his release to Brigadier General Ewing's District of the Border. Most notable in these documents is the hesitation U.S. officers voiced when obeying their superiors' orders to release Terman. For example, when assistant provost marshal general for the Department of the Missouri Lieutenant H. H. Hine sent Terman to Ewing, he included a note warning that Terman "refused to report valuable information, which he said he possessed and contradicted himself continually, lying in the most extraordinary manner to both officers and men sent to question him. . . . I forward him to you under the impression that you have better facilities for doing justice to him." See note 44.2.

47 Fialka created the maps in panels 1, 2, and 3. They visualize the areas in which the corresponding policies applied. The map in panel 4 comes from *The Official* Military *Atlas of the* Civil *War*.

Davis et al., *Atlas*.

A more detailed description of Missouri's evolving policy on guerrillas and their aiders and abettors is presented here.

In response to General John Pope's July 1861 order creating the failed public safely committees, President Lincoln bemoaned that it "was not possible to hold any [such policy] to a very strict accountability; and those yielding to the temptation . . . would seize property, and collect levies in the aptest way to fill their own pockets. Money being the object, the man having money, whether loyal or disloyal, would be a victim."

For Pope's policy, see *O.R.,* Series 1, Vol. 3, 417–419. For Lincoln's take, see Basler, Collected Works *of Abraham Lincoln*, 501–502.

In December 1861, newly appointed commander of the Department of the Missouri Major General Henry Halleck authorized executing guerrillas on the spot. He declared "insurgent rebels" in occupied territories "guilty of the highest crime known to the code of war and the punishment is death. Any one caught in the act will be immediately shot, and any one accused of this crime will be arrested." In early 1868, Halleck split the state into five military divisions under Brigadier General John M. Schofield, who then reissued a guerrilla extermination policy for the third time. Schofield stated that citizens who did not "give their assistance to the military authorities . . . [would] be regarded and treated as abettors of the criminals." Halleck's and Schofield's extermination policies both included limits for loyal citizens; however, no clear policy existed for dealing with disloyal citizens (or even for defining them).

For Halleck's initial guerrilla extermination policies, see *O.R.,* Series 2, Vol. 1, 237; and *O.R.,* Series 1, Vol. 8, 611–612. For Halleck's and Schofield's spatial reorganization, see *O.R.,* Series 1, Vol. 13, 409, 417. For Schofield's correspondence reauthorizing guerrillas' extermination under General Orders No. 18, the order itself, and Halleck's and Schofield's limits on loyal citizens, see *O.R.,* Series 1, Vol. 13, 402–403, 410–411.

On 6 August 1862, Halleck wrote Francis Lieber of the legal gray area surrounding guerrillas and their aiders and abettors. In particular, Halleck did not want to extend guerrillas "the same rights as other prisoners of war." In response, Lieber's Guerrilla *Forties Considered with Reference to the Laws and Usages of War* endorsed officers' uncoordinated and unchecked discretion in dealing with guerrillas and their abettors.

O.R., Series 3, Vol. 2, 301–309. See also chapter 2, note 26.3.

Major General Curtis's occupational policy was sent to all "district commanders, judge-advocates, and military courts." It justified targeting civilians by arguing that "Missouri is now in the military occupation of the United States. The inhabitants are, therefore, bound by the laws of war . . . to render obedience to the occupying military authority."

O.R., Series 1, Vol. 22, Pt. 2, 237–244. See also chapter 2, note 26.3.

It is worth noting that General Orders No. 100—referred to as "Lieber's Code"—defined disloyal citizens as anyone "known to sympathize with the rebellion . . . [along with anyone who offered] aid and comfort to the rebellious enemy."

O.R., Series 3, Vol. 3, 148–164. See also chapter 2, note 26.3.

48/49.1 *O.R.,* Series 1, Vol. 22, Pt. 2, 224.

48/49.8 *Terman's* Court-Martial Trial, 218.

48/49.3 For Ewing's Order No. 10, Order No. 11, and burnt district quote, see chapter 2, note 30.12. George Caleb Bingham, *Order No. 11*, oil, 1868. For this painting's reception and interpretations in the postwar period,

see Stack, "Toward an Emancipationist Interpretation."

48/49.4 Terman, J W, "Records of the Adjutant General's Office, 1762–1984," National Archives, Washington, DC, Record Group 94, Roll 0030, Publication Number P2282; and *O.R.,* Series 1, Vol. 34, Pt. 2, 254.

50 On 8 May 1864—likely before the scenes on this page—Rosecrans was sending out squads after the guerrilla James Jackman. Rosecrans ordered Brigadier General Fisk to "secretly take about 100 picked men of the Ninth Missouri State Militia, divided into squads of 80, and put them after Jackman's band. Your troops must go at this work with great secrecy, and persist and kill the robbers." Still, Fisk's men were ineffective, as demonstrated by Rosecrans's reprimand in the same telegraph that "they must do better" and by Rosecrans taking matters into his own hands and meeting with Terman on Brigadier General Ewing's recommendation.

O.R., Series 1, Vol. 34, Pt. 3, 422–423; *Terman's Court-Martial Trial*, 113–114. For an example of Rosecrans enforcing Missouri's execution policy against guerrillas, see "Military Execution. A. J. Bowyer, a Guerrilla. Hanged—2,000 Persons Present," St. *Joseph Weekly Herald and Tribune*, 15 September 1864.

Major General William S. Rosecrans never wanted to be in Missouri. Rosecrans experienced an impressive rise through the ranks thanks to his command during the much-needed victory at the Battle of Stones River in Tennessee and his nearly bloodless Tullahoma campaign that forced the Confederate Army of Tennessee back to Chattanooga and then into Georgia. Alas, his reputation suffered after his mishandling of the Confederate counterattack at the Battle of Chickamauga in Georgia (and his flight to Chattanooga while the battle was in progress). Ulysses S. Grant relieved Rosecrans of command and relegated him to the Department of the Missouri.

For biographies of Rosecrans, see Moore, *William S. Rosecrans*; and Lamers, *Edge of Glory*. Images of Rosecrans courtesy of these sources.

Grant's memoirs painted Rosecrans in a poor light, Influencing the latter's reputation as a second-rate commander in public consciousness. See Grant, *Personal Memoirs of U. S. Grant*, 2:17–30; Jones, "'Malignant Vindictiveness'"; and Varney, *General Grant and the Rewriting*. The William S. Rosecrans Papers are located in the University of California, Los Angeles Library, Performing Arts Special Collections, Collection 663. For a guide to the collection, see James V. Mink, *Papers of General William Starke Rosecrans*.

For Rosecrans's views on slavery and race, see *Missouri Telegraph*, 29 May 1863.

51 *Terman's Court-Martial Trial—Terman Defense*, 103–104, 113. Sanderson's image courtesy of the Library of the Senate of Pennsylvania, "John Phillip Sanderson," https://www.library.pasen.gov/people/member-biography?ID=5401.

Provost Marshal General Sanderson's use of detectives reflected the ad hoc nature of the conventional military's intelligence gathering (see note 38).

For correspondence between Colonel Sanderson and his detectives, see Union Congressional Committee, *Report of the Judge-Advocate General; O.R.,* Series 2, Vol. 7, 228–366; *O.R.,* Series 1, Vol. 34, Pt. 4, 588–589; and *Atchison Daily Champion*, 24 September 1865. Additionally, the Missouri Provost Marshal Database contains records for detectives William Taylor, Edward F. Hoffman, Abraham N. McGuire, and William Thorpe. See the State Historical Society of Missouri, "Missouri Digital Heritage," Missouri's Union Provost Marshal Papers: 1861–1866, https://sl.sos.mo.gov/records/archives/archivesdb/provost/.

Sanderson's diary entries from 1864 make no comment about detectives. See John P. Sanderson Diary, #1232, Division of Rare and Manuscript Collections, Cornell University Library.

52 *Terman's Court-Martial Trial*, 104, 133–134. Images of Fisk courtesy of biographical information listed in chapter 4, note 59.1.

53 *Terman's Court-Martial Trial*, 134–135, 151. Quotes changed to first person. Dwight's image courtesy of the U.S. Army Heritage and Education Center.

54 Sanderson authorized the U.S. military to "furnish Harry Trueman all he may have occasion to require for the efficient execution of [his] duties." The order in which he did so included the line "P.S. This message should be telegraphed in Cyphers." Sanderson's desire for secrecy clearly indicates that he understood the legal gray area Terman's scout operated in.

The evidence on Sanderson is accompanied with a paper trail connecting his orders to Terman with Major General Pleasonton (who served as department commander in Rosecrans's absence) and Lieutenant Colonel Draper. See NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19. For Fisk's confirmation and execution of Sanderson's order to insert Terman in the field, see *O.R.,* Series 1, Vol. 34, Pt. 3, 526, 576–577, 596.

Thomas J. Wesley—a sergeant of the 9th Cavalry Missouri State Militia riding with Terman—testified that Terman kept "a rope tied to his saddle which he said was to hang Rebels with."

For Wesley's testimony, see *Terman's Court-Martial Trial, 86*.

Terman and his men's disguise as guerrillas was sufficient. E. J. Crandall, captain of Linn County's County Forces, referenced Terman's command in a letter to Fisk on 4 June 1864, stating that he saw a "band, supposed to be bushwhackers," that were actually "our own men in disguise. . . . Every one who saw them supposed them to be bushwhackers and thieves, and had I not known some of them I, too, should have thought the same."

O.R., Series 1, Vol. 34, Pt. 4, 224.

55 Map by Andrew Fialka.

Chapter 4. The Reign of Terror

A Note on Sources concerning Jacob W. Terman (alias Captain Harry Truman)

Like the Centralia Massacre and ambush, the "reign of terror" led by Jacob W. Terman (alias Captain Harry Truman) in Chariton County, Missouri, is an atypical story. However, there was nothing atypical about the U.S. military using scouts, spies, and detectives in occupied territory or targeting households. In fact, "the Civil War can be read as a household war, a conflict rooted in, fought by, and waged against households." Studying the war's battles "obscures the ways in which much of the war is about invading the South and occupying the captured areas, including private residences." Within this larger historical debate, the purpose in detailing Terman's reign is to illustrate the overlap between his actions and the occupational—or household—war his superiors waged.

For quotes, see *O.R.,* Series 1, Vol. 34, Pt. 4, 324; Frank and Whites, *Household War*, 1–5. For the leading argument conceptualizing the Civil War as a household war, see Frank and Whites, *Household War*, especially the section "The Household as the Site of War."

Evidence for this chapter comes from four main sources. First, the U.S. Army attempted to hold Terman accountable for his actions in a court-martial trial just a month after his "reign." The trial transcript contains the prosecution's charges; detailed testimonies from the commander of the Department of the Missouri (Major General William S. Rosecrans), the provost marshal general of the same department (Colonel John P. Sanderson), the commander of the District of North Missouri (Brigadier General Clinton B. Fisk), twenty-two Missouri civilians acquainted with Terman, and six members of the 9th Cavalry Missouri State Militia that served under Terman; Terman's defense; cross-examinations; and the judge's ruling. The first 228 pages (charges, witness testimonies, and

rulings) are numbered in the transcript and cited as such. For a breakdown of the historical actors in the trial transcript, see chapter 5, Note on Sources. Additionally, there are several appendices to the transcript that do not follow the transcript's page numbering. These include a twenty-one-page statement on the trial's conclusion written by Terman, a seventeen-page response from the judge advocate, fourteen pages explaining each objection raised during the trial, Terman's written desire for a postponement of his case, the judge advocate's rejection of Terman's application for continuance, and last, a lengthy paper trail describing what happened to Terman after the trial's conclusion (detailed in chapter 7). I cite these appendices using a description of their content (for example, *Terman's Court-Martial Trial—Terman's* Statement).

For Terman's court-martial trial, see National Archives, Washington, DC, Series: Court-Martial Case Files, compiled 12/1809-10/1894, Case against J. W. Terman (hereinafter *Terman's Court-Martial* Trial). A Missouri newspaper printed a full transcript of the trial, along with a short biography of Terman. The transcript does contain changes from the primary document, presumably made by the newspaper's editor. See St. *Joseph Weekly Herald and Tribune*, 14 July, 21 July, 28 July, 4 August, and 11 August 1864.

Second, Missouri's Union Provost Marshal Papers contain an investigation of Terman's reign, including civilians' descriptions of his actions. Provost marshals enforced martial law in Union-occupied territories to control civilian populations, replacing the state's justice system. Particularly useful to the investigation were two civilian "guides" Terman employed during his reign, Ephraim Clark and Richard A. Young, who provided detailed accounts of their time with Terman days after his reign's end.

For Missouri's digitized database of provost marshal files, see the State Historical Society of Missouri, "Missouri Digital Heritage," Missouri's Union Provost Marshal Papers: 1861–1866, https://sl.sos.mo.gov/records/archives/archivesdb/provost/. While provost marshal files cited as "Relating to Individual Citizens" must be viewed on microfilm, all files cited as "for Two or More Individuals" can be viewed online. The provost marshal files for Terman's civilian "guides"—Clark and Young—are also available online. See 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10159 (hereinafter *Ephraim Clark's Provost Marshal File)*, and 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10409 (hereinafter *Richard A. Young's Provost Marshal File)*.

Terman. himself had four separate provost marshal files. These are particularly confusing as they often do not contain page numbers and are organized differently online versus on microfilm. The files are as follows: "Terman, J. W., alias Harry Tourman" (File 111951/2); «Terman, Jacob W." (which does not even contain a file number but is located on the same microfilm roll as File 111951/2); "Truman, Harry" (File 88705); and «Truman, Harry" (File 17918).

See 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens* and 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO. See also Terman, J W, "Papers Relating to Citizens, compiled 1861–1867," National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345.

Third, *The War of the Rebellion* (*O.R.*) contains a paper trail of military orders and reports pertaining to Terman's reign—specifically, correspondence between Terman, Major General Rosecrans, Colonel Sanderson, and Brigadier General Fisk.

Last, Terman has a file at the National Archives in «Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1868-1866." This source in particular confirms Terman's placement on the U.S. military's payroll as a "scout." It also contains records for 3,061 other scouts, spies, and detectives. (Special thanks to my sister, Megan

Biram, for photographing Terman's "Individual Scouts" file at the National Archives during the COVID pandemic.)

Terman, J. W., "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," National Archives, Washington, DC, RG 110, Entry 36, Box 19.

59.1 Before the war, Clinton B. Fisk was "an avowed Abolitionist who neither drank nor swore." His biographers emphasized his Christian faith, his association with the 1840s abolitionist Liberty Party, and his work as a "sub-conductor" on the Underground Railroad. During the war, Fisk advocated the recruitment of volunteers for the United States Colored Troops (USCT) regiments. During Reconstruction, he served as an assistant commissioner of the Freedmen's Bureau for Kentucky and Tennessee, and he helped found Nashville's Fisk University (one of the nation's premier historically Black universities) "and supported it with generous gifts for the remainder of his life." In 1888, he was the presidential candidate for the Prohibitionist Party.

Warner, *Generals in Blue*, 154–155; Hopkins, *Life of Clinton Bowen Fisk*, 22, 27–29, 32, 45, 51, 53. Also see Foster and Willard, *Our Standard Bearer*; and St. *Joseph Weekly Herald and Tribune*, 5 May 1864.

For Missouri's USCT recruitment lists, see the State Historical Society of Missouri, "Missouri Digital Heritage," Recruitment List of Volunteers for the United States Colored Troops for the State of Missouri, https://www.sos.mo.gov/archives/provost/provostPDF#cat3.

Fisk's office decorations are based on biographer Alphonso Hopkins's description that "at his headquarters, conspicuously visible upon the wall, this placard they [Fisk's soldiers] had read: SWEAR NOT AT ALL. Attention is called to the *Third* Commandment and the *Third Article of War"* (both of which condemn profane swearing). We also chose to depict a recognizable North Star embroidered on a quilt to indicate Fisk's alleged association with the Underground Railroad. Most historians dispute such a quilt's existence, citing a lack of written or oral evidence from the Works Progress Administration's interviews of the formerly enslaved in the 1930s. Others claim stories of such quilts exist in the oral histories of Black women.

Hopkins, *Life of Clinton Bowen Fisk*, 62; Exodus 20:7, King James Version; Library of Congress, "Statutes at Large," 9th Congress (1805–1807)—Vol. 2, Chapter 20: An Act for establishing Rules and Articles for the government of the Armies of the United States, 359–372, https://www.loc.gov/item/llsl-v2/.

For coverage of the quilt debate, see Andrew Bartholomew, "Prof. Debunks Douglass Myth," *Yale Daily News*, 1 February 2007, https://yaledailynews.com/blog/2007/02/01/prof-debunks-douglass-myth/. For interviews with the formerly enslaved, see Library of Congress, "Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936–1938," https://www.loc.gov/collections/slave-narratlves-from-the-federal-writers-project-1936-to-1938/about-this-collection/.

Fisk was extremely ill during Terman's reign, stating that he was "an invalid for three weeks."

See note 82.

59.2–3 *O.R.,* Series 1, Vol. 34, Pt. 4, 93.

59.4–5 Fisk's antiguerrilla practices descended into grayer territory as the war progressed. At issue here is Fisk's use of militia whose local knowledge of terrain made them better equipped to suppress guerrillas, but whose decentralized organization led to breaches in official U.S. policy toward civilians. Indeed, Fisk deployed a double standard in his treatment of civilians. In this chapter, he condemned Terman's violence against civilians (even though Terman claimed those civilians aided guerrillas). Months later, Fisk targeted civilians with violence when he ordered U.S. troops in Chariton, Randolph, and Howard

Counties to move through "suspected localities quietly at night. . . . Hesitate not to burn down every house where it can be demonstrated that the occupants harbor and conceal the murdering fiends. Do it by an order and destroy everything on the premises. Deal summarily with the parties who harbor and conceal. They are equally guilty with the bushwhacker and must share his fate." Despite the order's caveat that soldiers "pay proper respect to civil law," the point remains: the U.S. Army's antiguerrilla actions delved deeply into household war.

O.R., Series 1, Vol. 34, Pt. 4, 96; *O.R.,* Series 1, Vol. 48, Pt. 1, 485. For examples of how Missourians interpreted Fisk's use of militia and his antiguerrilla policies, see *Border Times*, 27 May 1864, 3 June 1864, 22 July 1864, 2 September 1864, 10 March 1865, and 26 May 1865. For more on Missouri's complex militia system, see chapter 6, note 112.

59.7–60 *Terman's Court-Martial Trial*, 137.

61 The conversation between Fisk, Terman, and Wesley is pieced together from Fisk's testimony at Terman's court-martial trial and telegraphs found in the *O.R.* that are referenced in that testimony.

For Fisk's testimony, see *Terman's Court-Martial Trial*, 137–138. For referenced telegraphs, see *O.R.,* Series 1, Vol. 34, Pt. 1, 965–966; and *O.R.,* Series 1, Vol. 34, Pt. 4, 179–180, 202. Major Leonard forwarded Fisk's doubts about Terman to Sanderson on 30 May, illustrating his suspicions of Terman before this meeting took place. See NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19.

Fisk paid Terman fifty dollars at this meeting "on account of services in (special service) District of North Missouri."

Terman, J W, "Papers Relating to Citizens, compiled 1861–1867," National Archives, Washington, DC, Record Group 109, Roll 0264, Publication Number M345.

62 *O.R.,* Series 1, Vol. 34, Pt. 4, 200–201; *Terman's Court-MarttalTrlal—Terman's Statement*. See also *O.R.,* Series 1, Vol. 34, Pt. 4, 239.

A guerrilla band led by Clifton D. Holtzclaw raided Keytesville (Chariton County) the same night Terman reentered the field—3 June 1864. Historian Bruce Nichols noted that Holtzclaw's band "provided a strong southern reaction to Detective Terman's depredations." This retributive violence foreshadows the downward spiral of violence depicted in chapter 6.

Nichols, *Guerrilla Warfare*, 3:214; *O.R.,* Series 1, Vol. 34, Pt. 4, 224, 248.

63 We depicted much of this page in shadow to mimic how Terman acquired his intelligence. The dialogue shown here was recorded after the fact by provost marshals or at Terman's court-martial trial. Terman targeted the civilians divulged in this intelligence and selected the speakers to stand as witnesses for his defense.

Terman's Court-Martial Trial, 166–167, 203–205; 1864 *Missouri Union Provost Marshal File far Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10403; and 1865 Missouri *Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Isabella Fax*, File 14926, Ellis Library Special Collections, Columbia, MO.

Terman also acquired intelligence from those civilians whom he offered to pay as guides—but never actually paid (as depicted on page 65, panel 3)—and from Union League members. Ephraim Clark testified that "Truman met with the Union League at . . . their Council room." Unionists often formed Union Leagues (along with Home Guards, local militias, and vigilance committees) and operated as quasi-legal guerrilla bands against southern-sympathizing civilians. By

aligning himself with these Unionist groups, Terman linked the U.S. military to the civil wars among civilians who did not play by the conventional war's rules.
For a description of Missouri Unionist vigilance committees' lawlessness, see Fellman, *Inside War*, 52–65. Also see *O.R.,* Series 1, Vol. 34, Pt. 4, 581–588. For references to Union Leagues In primary evidence related to Terman, see *O.R.,* Series 1, Vol. 34, Pt. 4, 346, 378; 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912 *(Terman's 28 January 1865 Statement* and *Baker Letter to Fisk*); *Ephraim Clark's Provost Marshal File*, 13; and 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10405. For ways in which civilian members of Terman's command sought other means to take up arms against guerrillas, see 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 13828; and Benecke, *Historical Sketch of the "Sixties,"* 15.

64 For dialogue, see *Terman's Court-Martial Trial*, 49–50. For descriptions of Terman's command taking southern sympathizers' property, see *Ephraim Clark's Provost Marshal File*; *Richard A. Young's Provost Marshal File*; and *Terman's Court-Martial Trial*, 16–19, 47–55, 57, 85–89, 152–159, 186–189.

68 At some point on 6 June 1864, Terman sent a (very sloppily handwritten) report to Fisk indicating that he had "Killed Two (2) & have taken four (4) prisners [sic]" and asking for reinforcements to attack an enemy "(100) Strong." This page depicts only those actions verified by other sources.
NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19.

65.1 Ephraim Clark witnessed Terman's men stealing a revolver from "Mr. Cooper." Terman was convicted of larceny against Cooper.
Terman's Court-Martial Trial, 18, 10, 227, *Terman's Statement, Judge Advocate Response*; *Ephraim Clark's Provost Marshal File*, 7.

65.2 Civilian guides confirmed Terman's command stole horses from Thomas Wylie and James Coy. Terman was convicted of robbery against Coy and of larceny against Wylie.
Terman's Court-Martial Trial, 17–18, 54–55, 227, *Judge Advocate Response*; *Ephraim Clark's Provost Marshal File*, 5–7; *Richard A. Young's Provost Marshal File*, 3.

65.3 Ephraim Clark and Richard A. Young gave detailed descriptions of joining Terman's scout. Terman showed both civilians his telegraphs from Major General Rosecrans to establish his authority and then offered each man $2.50 a day and a horse. Both agreements were "verbal."
Ephraim Clark's Provost Marshal File, 1–2; Richard A. Young's Provost Marshal File, 1–2; *Terman's Court-Martial Trial*, 15–16.

65.4 Terman was convicted of robbing Martin C. Hurt of a horse and selling it back to him for sixty dollars.
Terman's Court-Martial Trial, 64–67, 186–188; 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, File 10162, Major Leonard report.
The civilian James Brown Hartmen actually made the exchange. Hartmen had been "acquainted with [Terman] for fifteen years," served under the alias "Lieutenant Brown," and held "command of the expedition and men when [Terman] . . . was absent." Hartmen always backed up Terman's version of events during the court-martial trial.
Hartmen's personal history is as checkered as Terman's. A short biography in the Blue *Grey Chronicle* depicts jayhawking, robbery, multiple arrests, and a jailbreak.
Terman's Court-Martial Trial, 179–180, 201; Dugan, "James B. Hartman."

65.5 Multiple sources reference the presence of two or three women in Terman's party beginning around 3 June 1864. The women are varyingly referred to collectively or individually as "female prisoners," "a notorious prostitute," "a common abandoned woman," and Terman's "wife"—who traveled on all his expeditions with her hair cut short and dressed in men's clothes.

Ephraim Clark's Provost Marshal File, 3, 8, 19; *Richard A. Young's Provost Marshal File*, 2; *O.R.*, Series 1, Vol. 34, Pt. 4, 270; 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912 *(Thomas A. Simpson Deposition); Terman's Court-Martial Trial*, 56, 157, *Judge Advocate Response*.

Names associated with the women include Catherine Oldham, Kate Oldman, and a Miss Woods. Some of the sources claim that Catherine Oldham came from a disloyal family. The 1860 federal census lists five persons named Catherine Oldham, two of whom are likely candidates based on their age (fourteen and twenty-one). However, no overlap exists between their fathers' names in the census, aforementioned sources, and provost marshal investigations.

1860 U.S. census, population schedule, NARA microfilm publication M653, 1,438 rolls, Washington, DC: National Archives and Records Administration, n.d. (hereinafter *1860 Census), Clark, Chariton, Missouri*, 285, 298, 309; 1863 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Goodman Oldham*, Ellis Library Special Collections, Columbia, MO, Reel F1251; United States of America, Bureau of the Census, *Eighth Census of the United States, 1860*, Washington, DC: National Archives and Records Administration, 1860, M653, 1,438 rolls (hereinafter *1860 Slave Schedules), Clark, Chariton, Missouri*, 159; *Terman's Court-Martial Trial*, 166.

Nineteenth-century antebellum culture—particularly "the honor of white Southern womanhood, . . . Anglican Victorianism, and bedrock American puritanism"—rendered sex a taboo subject. As such, sex is difficult to locate in primary sources. However, "almost a quarter of a million Yankees suffered reported cases of venereal disease (to say nothing of unreported cases)." Sexually transmitted infections debilitated so many soldiers in Nashville in the winter of 1863 that the city's U.S. commander deported fifteen hundred white prostitutes. When Black prostitutes filled their place in less than a month, the provost marshal had no choice but to establish "a system of licensed prostitution." Concerning rape, "a survey of less than 5 percent of the Federal court-martial records, preserved in the National Archives, have yielded more than thirty trials for rape." White on Black rape was particularly common. Clearly, sex was rampant in the Civil War.

We carefully rendered this scene to show the dangerous situation of Terman's female prisoners—surrounded by soldiers with a track record of little oversight and heavy drinking. Still, no one accused Terman or his men of sexual assault. The closest insinuation—Fisk's charge that Terman "abuses women"—is typically allusive nineteenth-century language used to describe harassment. "Ravishment" would be the more likely language in a credible accusation of rape. However, Fisk also dismissed Terman's female prisoner as a "notorious prostitute," the sort of casual condescension that enabled U.S. commanders to avoid investigating charges of sexual misconduct on the part of soldiers. Terman could very well have plied his female prisoners with alcohol while holding them against their will and committed some form of sexual assault.

Lowry, *Story the Soldiers Wouldn't Tell*, x, 8, 78–79, 123. See also Lowry, *Sexual Misbehavior*; Barber and Ritter, "Dangerous Liaisons"; Bynum, *Unruly Women*, 118; Faust, *Mothers of Invention*, 199–200; Giesberg, *Sex and the Civil War*; Jordan, "Sleeping with the Enemy"; and Hodes, *White Women, Black Men*.

66 Carman illustrated Terman's men taking John Walker prisoner from Ephraim Clark's depiction of events as stated in his provost marshal file and at Terman's court-martial trial. Two other witnesses—Arthur F. Kuhn of the 9th Cavalry Missouri State Militia and Richard A. Young—confirmed Clark's version of events. Two more men—civilian E. A. Holcomb and Captain Wesley R. Love of the 18th Missouri Volunteers and 7th Cavalry Missouri Volunteers—both testified that Walker was disloyal and had previously acted as a guerrilla.

Ephraim Clark's Provost Marshal File, 4–6; *Terman's Court-Martial Trial, 164–166, 172, 203*, 211; *Richard A. Young's Provost Marshal File*, 3.

Clark claimed (and others confirmed) that J. P. R. Gilstrap led the detachment that seized Walker. Like Clark and Young, Terman employed Gilstrap as a guide, but Gilstrap seemed to have some semblance of authority, as he is often referred to as "Captain Gilstrap" in primary sources, and Terman offered him twice the amount of pay as other guides.

For Gilstrap's description of his role while in Terman's employment, see *Terman's Court-Martial Trial*, 56.

67 Carman illustrated Walker's hanging based on the testimonies of nine separate witnesses to the event and of Terman's role in it. These include: Ephraim Clark (civilian, guide), Richard A. Young (civilian, guide), Erastus Lockwood (civilian), J. P. B. Gilstrap (civilian, guide), Thomas J. Wesley (9th Cavalry MSM), M. T. Hargis (9th Cavalry MSM), William H. Sturman (9th Cavalry MSM), Arthur F. Kuhn (9th Cavalry MSM), and James Brown Hartmen.

Ephraim Clark's Provost Marshal File, 6–7; *Richard A. Young's Provost Marshal File*, 3–4; *Terman's Court-Martial Trial*, 22–23, 34, 45–46, 57, 61, 86, 89–92, 98, 162, 184.

68 Dialogue comes from Lieutenant Patterson's 9 June 1864 report to Fisk. Civilian guides Ephraim Clark and Richard A. Young confirmed Patterson's description of the guerrilla camp's location. Clark's confirmation is particularly trustworthy as the previous month, May 1864, he had, in his description, been "captured at my home by Holtzclaw, and blindfolded and taken to a camp and kept a prisoner something more than a day and taken to about four miles from the camp blindfolded and then released. From information derived from Union men I believed that I had been kept a prisoner at the camp near said [Anslem] Johnson's. Upon examination of the surroundings I found the camp where I had been kept a prisoner." Fisk confirmed Clark's kidnapping in correspondence from the *O.R.*, and Terman confirmed that he "hired him for this reason; viz: Clark had been taken prisoner by a Guerilla [sic] Band about a week previous, and [I] only hired him as a Guide to their camp."

O.R., Series 1, Vol. 34, Pt. 4, 224–225, 286; *Ephraim Clark's Provost Marshal File*, 8–10; *Terman's Court-Martial Trial—Terman's Statement*. Arthur F. Kuhn (9th Cavalry MSM) also depicted the guerrilla camp. See *Terman's Court-Martial Trial*, 162, 168–169.

69 For dialogue and all accounts concerning Lieutenant Patterson refusing to join Terman in the field, see *O.R.,* Series 1, Vol. 34, Pt. 4, 286; *Ephraim Clark's Provost Marshal File*, 9; 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912 *(Truman Letter to Sanderson, 7 June 1864* and *Truman Letter to Sanderson, [23 or 88] June 18641*; and *Terman's Court-Martial Trial*, 181–182. See also *O.R.,* Series 1, Vol. 34, Pt. 1, 987.

70.1 There are conflicting accounts of Terman's attack on the guerrilla camp. Only Terman and James Brown Hartmen ever claimed that they attacked guerrillas under Clifton Holtzclaw. Hartmen later rescinded his claim. Arthur F. Kuhn and

Richard A. Young testified that the attack never happened because the camp was abandoned when Terman's force arrived.

1864 Missouri *Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912 *(Truman Letter to Sanderson, 7 June 1864* and *Truman Letter to Sanderson, [23 or 88] June 1864*); 1864 Missouri *Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 22705 *(Truman Letter to Ewing, 3 July 1864*); *Terman's Court-Martial Trial*, 169, 174, 182, 184, 193; *Richard A. Young's Provost Marshal File*, 5–6; *Ephraim Clark's Provost Marshal File*, 9.

70.2–4 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 22705 *(Truman Letter to Ewing, 3 July 1864*).

70.5–7 Civilian guides Ephraim Clark and Richard A. Young describe Terman's men leaving the abandoned guerrilla camp in multiple groups and stealing a horse from Anslem Johnson's properly; stealing a horse, two saddles, and "a negro" from a Mr. Coleman; and taking George Veal prisoner. They also referenced "revolvers and guns &c" and "horses and negroes" taken from unnamed locations.

Ephraim Clark's Provost Marshal File, 10–11; *Richard A. Young's Provost Marshal File*, 6.

Fisk testified that from 3 June to 11 June 1864, Terman gathered "a large train of horses and Africans." Terman testified that "he did not force them [Negroes] to go with him but that said negroes desired to enter the service of the United States and he . . . allowed them to accompany him." However, a Union officer noted that the "provost-marshal got, I think, 2 recruits from the negro brigade brought in by H. Truman." Fisk did receive a complaint that "the negroes of Mrs. S. C. Jones were forcibly taken from the plantation."

Terman's Court-Martial Trial, 139, 149–150; *O.R.,* Series 1, Vol. 34, Pt. 4, 374, 434.

71 For Fisk's testimony of receiving complaints about Terman's conduct, see *Terman's Court-Martial Trial*, 139, 144. For examples of civilians' complaints lodged against Terman, see 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Robert Carmon, Case against M. L. Gray*, and Case *against John T. Doxey*, Ellis Library Special Collections, Columbia, MO. Two soldiers of the 9th Cavalry MSM defected from Terman's command and recorded affidavits on 7 June 1864. See NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19. For Fisk's telegraph correspondence, see *O.R.*, Series 1, Vol. 34, Pt. 4, 270–271; and *Terman's Court-Martial, Trial*, 139.

The 1860 federal census slave schedules reveal that some of Terman's murder and/or robbery victims held people in slavery, while others did not. As in other border and Upper South states, slave ownership did not draw clear lines between Missouri's Unionists and secessionists. However, most of Missouri's pro-Confederate guerrillas were the eldest sons of enslavers.

1860 Slave Schedules; Phillips, *Rivers Ran Backward*; Astor, Rebels *on the Border*; Bowen, "Guerrilla War in Western Missouri."

72.1 *Terman's Court-Martial Trial*, 147, *Terman's Statement; O.R.,* Series 1, Vol. 34, Pt. 4, 272.

From this point in the story to the end of the chapter, Terman and his men continued to commit numerous robberies and threaten civilians with violence. Instead of depicting each incident, we chose to focus on the most egregious acts.

O.R., Series 1, Vol. 34, Pt. 4, 314–315, 324–325, 447.

72.2–9 Evidence concerning the murder of William Viers (or Beviers—though neither name is found in the 1860 census) comes from four separate civilian

testimonies and Terman's own statement. Although the court convicted Terman of the murder, a trial summary written on 9 November 1865 concluded that the "finding upon the Eighth Specification is erroneous because no evidence of the death of Viers was presented." Carman's depiction of the killing draws mostly from Richard A. Young's account.

Terman's Court-Martial Trial—Trial *Summary (9 November 1866), Terman's Statement*, 34, 59, 196, 205–206; *Richard A. Young's Provost Marshal File*, 6–7.

73 Veal's murder is pieced together from Ephraim Clark's and Richard A. Young's provost marshal files, four additional civilian testimonies at Terman's court-martial trial, three testimonies from members of the 9th Cavalry MSM under Terman's command, and statements from Terman and James Brown Hartmen.

Terman's Court-Martial Trial—Terman's Statement; Ephraim Clark's Provost Marshal File, 10–13; *Richard A. Young's Provost Marshal File*, 6–8; *Terman's Court-Martial Trial, 18*, 25–29, 32–34, 57–58, 76, 86, 91, 166–167, 173, 182–183, 186, 194–195.

74.1 There is no record of a scene such as the one depicted here where Terman divvied up his troops at one consolidated event. We decided to illustrate the issuance of orders in one panel as the best way to orient the reader to the three separate storylines covered in the next two pages.

Concerning the third, unrepresented detachment, see *Richard A. Young's Provost Marshal File*, 8; and *Ephraim Clark's Provost Marshal File*, 16.

74.2 The storyline running along the top of pages 74, 75, and 76 and through all of pages 77 and 78 concerns the murders of Peter Fox and Henry C. Jennings. The detachment included Ephraim Clark, William Polk Young, Mr. Mott, and an unknown soldier of the 9th Cavalry MSM.

There are differing accounts of the detachment's orders. Ephraim Clark told a provost marshal that "Capt. Truman's orders to me in leaving Keytesville was to go to Fox & Jennings and kill them." During Terman's court-martial trial, Clark twice confirmed that this detachment acted "under the express orders" of Terman. Similarly, Isabella Fox (Peter Fox's wife) testified that Terman spoke to her personally after her husband's murder and stated "'my boys went a little over my orders here or I would not have been here. I ordered Jennings shot but did not order Peter Fox shot.'" However, under cross-examination, Isabella confessed that Terman told her "the men who shot Fox and Jennings were not under his [Terman's] control."

Ephraim Clark's Provost Marshal File, 14, 16; *Terman's Court-Martial Trial*, 19, 21, 39–40.

Terman attacked Clark's testimony as "untrue." He claimed that Ephraim Clark and Polk Young "requested authority to go & kill Fox & Jennings." Terman then refused, saying that he "could give no citizens authority to kill anyone. That if they killed them, they must do it on their own responsibility." James Brown Hartmen's account mirrored that of Terman.

Terman's Court-Martial Trial, 183, *Terman's Statement*.

William Polk Young confessed to being in the group that killed Fox and Jennings but testified that he did "not know by whose order they were killed."

Terman's Court-Martial Trial, 75.

The military commission acquitted Terman of Fox's murder but convicted him of Jennings's murder.

Terman's Court-Martial Trial, 227, *Judge Advocate's Statement*.

74.4 Different testimonies place this detachment's number between six and ten men. Multiple sources indicate that James Brown Hartmen led the detachment and that the rest of its members—three of whom were Privates William H. Sturman, R. J. Burkley, and William Sharp—came from the 9th Cavalry MSM.
Ephraim Clark's Provost Marshal File, 13–14; *Terman's Court-Martial Trial*, 69, 98–99, 198; *Richard A. Young's Provost Marshal File*, 9.

Ephraim Clark told the provost marshal and the court that Terman ordered Hartmen to "kill several men" in "the forks of the Chariton," including "a man by the name of Starks." Civilians Richard A. Young, J. J. Mills, and George M. Dewey also stated Terman's orders to kill a "Starks."
Ephraim Clark's Provost Marshal File, 14; *Terman's Court-Martial Trial*, 20, 29, 36; *Richard A. Young's Provost Marshal File*, 9.

However, Terman argued that "there were two persons by the name of Stark and I do most emphatically deny giving any authority to kill the one proven to have been killed and if Young Starks was killed it was by no directions of mine, the instructions to the men having only reference to the Elder Stark, who was not killed." Indeed, James Stark, age 52, and his son James Stark, age 18, lived in Prairie Township, Chariton County. Hot surprisingly, James Brown Hartmen's testimony coincided with Terman's, stating that Terman "ordered me to take a squad of soldiers and go down in the neighborhood of Starks and Lewis and if we could find Starks or Lewis not to bring them to Keytesville prisoners, but to either shoot them or hang them whenever we found them." Hartmen then denied being present at Stark's hanging, a claim confirmed by Private Sturman, who was present at the execution.

Still, both Terman and Hartmen found it necessary to argue that they impersonated guerrillas in May 1864 and secured confessions from both Starks of belonging to guerrilla bands and killing Unionists.
Terman's Court-Martial Trial—Terman's Statement, 183–184; 1860 Federal Manuscript Census, Chariton County, Missouri.

75.1 Ephraim Clark "found Peter Fox apparently replanting corn in his field." Isabella stated that Peter "was in the field at work making tobacco hills."
Terman's Court-Martial Trial, 21, 41.

75.3 This scene is based on Mahela Veatch's testimony at Terman's court-martial trial. Hartmen and his men found the younger James Stark at Mahela's home.
Terman's Court-Martial Trial, 69–74.

76.1 *Terman's Court-Martial Trial*, 18, 38, 40; *Ephraim Clark's Provost Marshal File*, 14.

76.2 This event—Terman burning down Anslem Johnson's house—actually occurred a day later, on 11 June 1864. We chose to illustrate it here to highlight the concluding acts of Terman's reign before focusing on the murder of Peter Fox and Henry C. Jennings.

Sergeant Thomas J. Wesley witnessed Terman "take a match from his pocket and light" a bundle of carpeting on fire, which he placed in a corner of the house to ignite the entire structure. Before committing the arson, Terman "told his men that he was going to burn Johnson's house, and if there was anything in the house they wanted they could take it." Ephraim Clark recounted men looting the house. Arthur F. Kuhn and Richard A. Young also witnessed the burning, but neither saw who started the fire.

Terman's Court-Martial Trial, 19, 83–84, 168; *Ephraim Clark's Provost Marshal File*, 17; *Richard A. Young's Provost Marshal File*, 9.

76.3 Carman's depiction of James Stark's hanging is taken from James Veatch's testimony at Terman's court-martial trial. The court convicted Terman of Stark's murder.
Terman's Court-Martial Trial, 70–74, 227, *Judge Advocate's Statement*.

77 & 78 Ephraim Clark's confession of the murders to the provost marshal is as follows: "On arriving at their residence I took them from the house about 800 yards into a thick grove of timber and told them what my orders were. That I had taken them out there to kill them. They then disclaimed all acts of disloyalty or dishonesty. They requested of me permission to pray and expressed a desire to see their families. The first request I granted the latter I refused. They then got down on their knees and prayed after which and while Jennings was still on his knees in prayer they were shot. All four of us discharged our pieces. Fox had started to run when he was shot, Jennings died instantly and Fox we left for dead but I afterwards learned that he was not killed. After killing these two parties I went to the house and told Mrs. Fox what I had done and who had ordered me to do it and that it had been done for the following reasons: that they were charged with general disloyalty and dishonesty. I then in obedience to orders from Capt. Truman took an iron gray stallion from the premises and then proceeded to scout through the neighborhood disarming persons said to be disloyal."

Clark and William Polk Young confirmed this report at Terman's court-martial trial. Isabella Fox's and America Jennings's recollections at the trial differed only slightly. The largest discrepancy was America stating that "Clark was standing near him with a revolver in his hands and shot my husband again in my presence. The shots were all in the forehead." As no one else reported Clark shooting Jennings a second time in America's presence, we chose not to include it.
Ephraim Clark's Provost Marshal File, 14–16; *Terman's Court-Martial Trial*, 18–21, *75–77*, 38, 40.

79.1–8 On 11 June 1864, Terman ordered all his men, civilian guides, emancipated individuals, and plunder to march to Bucklin, Missouri. (He stopped to burn Anslem Johnson's house on the way.) The amount of plunder in Terman's party varies across sources. Fisk "ordered all the Truman plunder to be concentrated at Brookfield, in charge of Captain Crandall, until rightful ownership can be established."
Ephraim Clark's Provost Marshal File, 17; *Richard A. Young's Provost Marshal File*, 9; *O.R.,* Series 1, Vol. 34, Pt. 4, 328, 372, 375, 418.

79.9 Dialogue taken from J. J. Mills's testimony at Terman's court-martial trial.
Terman's Court-Martial Trial, 31.

Chapter 5. The Trial

A Note on Sources concerning Terman's Court-Martial Trial

This chapter relies almost exclusively on Terman's court-martial trial. Whereas chapter 4 used Terman's trial to piece together his reign of terror, this chapter focuses on the trial itself. The handwritten transcript of the trial is in the

National Archives. (Citation information can be found in chapter 4, A Note on Sources.) Unless otherwise noted, all of this chapter's dialogue comes directly from the trial transcript. I cite trial page numbers for each dialogue bubble throughout the chapter and provide a breakdown of the historical actors in the trial transcript here:

Page 1: Brig. Gen. Fisk's special order creating a military commission for Terman's trial
Pages 2–15: Charges & specifications; Terman's plea of "not guilty" to all charges
The following pages include testimony and cross-examination:
Pages 15–24: Ephraim Clark (civilian; guide)
Pages 24–31: J. J. Mills (civilian)
Pages 31–36: George M. Dewey (civilian)
Pages 37–39: Isabella Fox (civilian)
Pages 39–43: America Jennings (civilian)
Pages 43–44: Anslem C. Johnson (civilian)
Pages 44–47: Erastus Lockwood (civilian)
Pages 47–48: Stephen J. Skinner (civilian)
Pages 49–54: Nicholas A. Langston (civilian)
Pages 54–55: James Coy (civilian)
Pages 55–62: J. P. B. Gilstrap (civilian; guide; shared power with Terman—referred to as "Captain Gilstrap")
Pages 63–68: Martin C. Hurt (civilian)
Pages 68–70: Mahela Veatch (civilian)
Pages 70–74: James Veatch (civilian)
Pages 74–81: William Polk Young (civilian; guide)
Pages 81–89, 150–159, 177–179: Thomas J. Wesley (sergeant, Co. H, 9th Cavalry Missouri State Militia [MSM])
Pages 90–93: M. J. Hargis (private, Co. A, 9th Cavalry MSM)
Pages 97–99: William H. Sturman (private, Co. H, 9th Cavalry MSM)
The following pages include affidavits:
Pages 101–112: John Philip Sanderson (Colonel, 13th U.S. Infantry; Provost Marshal General, Department of the Missouri)
Pages 113–121: William Starke Rosecrans (Major General, Department of the Missouri)
The following pages include testimony and cross-examination:
Pages 123–132, 212: Daniel M. Draper (Lieutenant Colonel, 9th Cavalry MSM)
Pages 132–150, 175–176: Clinton B. Fisk (Brigadier General, District of North Missouri)
Pages 161–175: Arthur F. Kuhn (Co. H, 9th Cavalry MSM)
Pages 179–201: James Brown Hartmen (civilian; guide; shared power with Terman—referred to as "Lieutenant Brown")
Pages 202–206: E. A. Holcomb (civilian)
Pages 206–209: John Gastin (civilian)
Pages 209–210: H. J. Chillis (civilian)
Pages 210–212: Wesley R. Love (civilian; former captain, 7th Missouri Cavalry)
The following pages include affidavits:
Pages 214–219: Chester Harding Jr. (Terman's attorney; former colonel, 25th Missouri Volunteer Infantry)
Pages 220–223: Robert T. Van Horn (mayor of Kansas City; former lieutenant colonel, 25th Missouri Volunteer Infantry)
Pages 226–228 list the verdict on Terman's charges.

82 For telegraphs referenced in the first text box, see *O.R.,* Series 1, Vol. 34, Pt. 4, 329, 345–346, 350–351, 371–372, 396–397; NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19. See also St. *Joseph Weekly* Herald and *Tribune*, 30 June 1864.

On Chester Harding Jr., see Eicher and Eicher, *Civil War High Commands*, 280. On Jefferson Chandler, see United States *Biographical Dictionary*, 876–878.

For Civil War prison conditions, see note 96 & 97.

Fisk's men also arrested an unknown number of the 9th Cavalry Missouri State Militia along with Terman. Some of the enslaved persons captured by Terman

confirmed this, stating that "Trueman agreed to surrender. His men however, refused, and made an attempt to escape, and several of them were successful. The remainder, with Trueman, were made prisoners."
O.R., Series 1, Vol. 34, Pt. 4, 347, 369, 372, 416; *Carrollton Democrat*, 24 June 1864.
Upon his arrest, Terman was unable to gain parole and "properly arrange my defense." Fisk refused to visit him in prison or to reply to Terman's request that his family be escorted to St. Joseph. Rosecrans likewise ignored Terman's letters asking for parole.
NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19.
Terman attempted to secure his release from prison in multiple ways. He stated that he held intelligence that could lead to the capture of notorious guerrillas, claiming "to know to a certainty just where Quantrill is encamped in Jackson County" and when Quantrill would move his force. U.S. troops followed up on Terman's information and discovered it was false. Terman requested (and was denied) parole, arguing that the St. Joseph prison was "in such an offensive condition, as to impair the health of the most robust of the inmates." He also had Unionists send telegraphs to Fisk vouching for his actions.
O.R., Series 1, Vol. 34, Pt. 4, 346, 350–351, 444, 473, 475, 493; 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 17912 (*Chandler to Fisk, 19 July* 1864); 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Harry Truman*, Ellis Library Special Collections, Columbia, MO, File 22705 *(Terman to Ewing, 3 July* 1864).
Fisk argued that it took him as long as it did to bring in Terman because Rosecrans and Sanderson undermined his orders to detain Terman, and because Fisk had been sick. On 17 June, he stated that "I have been an invalid for three weeks. Shall go to Howard and Chariton Counties as soon as I am able to travel."
O.R., Series 1, Vol. 34, Pt. 4, 372, 436.

83 For dialogue, see *Terman's Court-Martial Trial*, 1–13. The St. Joseph jail is described in the following sources: Ruger, *Bird's Eye View*, https://www.loc.gov/item/73693489/; "Notice to Contractors," St. *Joseph Gazette*, 15 March 1850; "General Jail Delivery—Seventeen Prisoners Broke from the St. Joseph Jaill," St. *Joseph Weekly Herald and Tribune, 26* November 1863.
For an image of Judge Porter, see *United States Biographical Dictionary*, 422–425.

84 *Terman's Court-Martial Trial*, 14–15.

85 *Terman's Court-Martial Trial*, 15–81. In instances where I could not discover photographs of the civilians who testified against Terman, Carman used the sex, age, and occupation provided in the trial transcript.

86 *Terman's Court-Martial Trial*, 22–23, 56, 62, 78.

87 *Terman's Court-Martial Trial—Objections, 22*.
President Lincoln's private secretary, John G. Nicolay, wrote a letter summarizing Terman's reign of terror on 29 June 1864. In it, Nicolay blamed Terman's reign on Missouri's "too many different and conflicting authorities." He explained that "there are three distinct sources of military authority here, all independent of each other, viz 1 The District Commander[,] 2 Sanderson's Provost Marshals[,] 3. The Governor as Com. in Chief of the State Militia." Nicolay concluded that it was "easy to see that perpetual confusion and conflict of authority, and especially conflict of policy grows out of this state of things."
Lincoln, Abraham. *Abraham Lincoln papers: Series 1. General Correspondence. 1833 to 1916: John G. Nicolay to John Hay Wednesday 29 June 1864 (Affairs in Missouri)*. Manuscript/mixed material.

https://www.loc.gov/item/mal3413500/ (accessed January 29, 2023). For discrepancies in the laws of war, see chapter 2, note 26.3.

88 Department of the Missouri and District of North Missouri spatial definitions located in Eicher and Eicher, *Civil War High Commands*, 834, 838.

Insignia designs based on Davis et al., Atlas. Popular reference works on Civil War commanders include Warner, Generals in Blue; and Eicher and Eicher, *Civil War High Commands*. For Rosecrans's biographies, see chapter 3, note 50. No professional biography of John P. Sanderson exists; his wartime papers and journal are located at the Ohio History Connection archive, MIC 17, MSS 209, and MBS 8519. The 9th Cavalry Missouri State Militia's spatiotemporal information is cataloged in Dyer, *Compendium of the War*. The unit's commander, Colonel Odon Guitar, has papers located at the State Historical Society of Missouri, Columbia, MO, Collection #C1007. Daniel Marshall Draper's image taken from the Ancestry website (https://www.ancestry.com).

89 *Court-Martial Trial*, 81–89, 150–159.

Wesley's testimony described a "previous scout" that Terman led in Fisk's district. Colonel Sanderson and Major General Pleasonton initiated the scout on 13 May 1864, authorizing Colonel Draper to "furnish Harry Trueman with men, horses, and Arms required in performance of his duties." They also asked the telegraph to be sent in ciphers, but an original exists in Terman's NARA «Individual Scouts" file. Furthermore, affidavits of Privates Anthony W. Arnold and Stephen Feland of the 9th Cavalry Missouri State Militia and civilians William B. Hargis and John W. Cazzell confirm that they accompanied Terman on the authorized scout in and around Chariton County in May 1864.

NARA, "Correspondence, Reports, Appointments, and Other Records Relating to Individual Scouts, Guides, Spies, and Detectives, 1862–1866," RG 110, entry 36, box 19. See also *O.R.,* Series 1, Vol. 34, Pt. 3, 576–577.

For multiple weeks in May 1864, Major General Bosecrans left St. Louis, leaving Major General Alfred Pleasonton in command.

Terman's Court-Martial Trial, 105; *O.R.,* Series 1, Vol. 34, Pt. 3, 550; *O.R.,* Series 1, Vol. 34, Pt. 4, 71; *Daily Ohio Statesman*, 13 May 1864; *Chicago Daily Tribune*, 21 May 1864.

90 *Terman's Court-Martial Trial, 123–132,212*.

91 For Fisk's testimony, continuing to page 92, see *Terman's Court-Martial Trial*, 132–150, 175–176.

92 *O.R.,* Series 1, Vol. 34, Pt. 3, 422–423, 526, 596. See also *O.R.,* Series 1, Vol. 34, Pt. 4, 397.

93 *O.R.,* Series 1, Vol. 34, Pt. 4, 179–180, 200–201. *Terman's Court-Martial Trial—Objection "A" and "B" Explanation*.

94 & 95 *Terman's Court-Martial Trial*, 101–111.

96 & 97 *Terman's Court-Martial Trial*, 113–120. For Price's invasion of Missouri, see Monaghan, *Civil War*; McPherson, Battle *Cry of Freedom*, 784–788; Castel, General *Sterling Price*; and Hattaway and Jones, *How the North Won*, 635–637. For boat burners, see Laura June Davis, "Vexed Waters." For Civil War prisons, see Casstevens, *"Out of the Mouth"*; and Pickenpaugh, *Captives in Gray*.

98 *Terman's Court-Martial Trial—Judge Advocate Response*, 159–161, 163–164. Quotes altered to first person.

99 *Terman's Court-Martial Trial*, 161–201, 205, 211; *Terman's Court-Martial Trial—Objection* "0" *Explanation*.

100 *Terman's Court-Martial Trial*, 214–219, 220–222. Harding's and Van Horn's affidavits were recorded on 19 July but were not presented as evidence until this point in the trial.

A document in the National Archives confirms Terman's employment "in the U.S. service in the Western Dept as a scout" during his time under Ewing. The document is a request made by Terman to be moved to the Eastern Department.

RG 393 Records of U.S. Army Continental Commands, Part I (Geographical Divisions and Departments and Military Districts), Entry 3973 (Army of the Potomac), Registers of Letters Received, 1861–1865.

101 *Terman's Court-Martial Trial-Postponement Request*, 218–222, 225. Quotes altered to first person.

102 *Terman's Court-Martial Trial—Terman Statement*.

103 *Terman's Court-Martial Trial—Judge Advocate Response*, 226–228.

Chapter 6. The Downward Spiral

106 This chapter's title and content depict nineteenth-century military theorist Carl von Clausewitz's "reciprocal" process of retaliation analyzed in chapter 8 (see especially note 87.4) and heavily emphasized in guerrilla literature. Despite historians' work showing organized intent to many guerrilla actions, civilians did not have the advantage of seeing the war from a bird's-eye view and consequently experienced terror. Clausewitz, *On War*; Fellman, *Inside War, 21, 23*, 35, 167, 186, 266; Sutherland, *Savage Conflict*.

108 *O.R.,* Series 1, Vol. 34, Pt. 4, 372–375.

109 *O.R.,* Series 1, Vol. 34, Pt. 4, 374, 376; *Carrollton Democrat*, 24 June 1864.

109.2 Black Missourians' reluctance to enlist in the U.S. Army in this scene contradicts the typical story of Missouri's USCTs—a testament to Terman's despicable character. A whopping 39 percent of Missouri's military-age Black men joined the army (that figure does not count Missourians who may have enlisted in neighboring states), an enlistment level second only to that of Kentucky.

Astor, *Rebels on the Border*, 124–131; *O.R.,* Series 3, Vol. 5, 138.

Concerning the "8 recruits" referenced in E. J. Crandall's report, Alexander Page and Abraham Bentley are the two likeliest candidates. Both Page and Bentley enlisted in the 18th U.S. Colored Infantry on 4 July 1864, soon after Terman's reign of terror. Alexander "claimed to have been the slave of James Page," while Abraham "claimed to have been the slave of Jordan Bentley." James Page and Jordan Bentley were neighbors in Chariton Township, located on the road between Keytesville and Glasgow where Terman's men took "negroes" from various farms on 10 June.

Alexander Page's story is brief and tragic. He checked into a hospital with typhoid fever almost immediately after enlisting and died in December 1864. He left no family behind.

Abraham Bentley was in and out of the hospital for most of his service throughout Missouri, Alabama, and Tennessee. He mustered out on 88 May 1865, married, and lived in Glasgow, Missouri, after the war.

1860 Slave Schedules, Chariton Township, Chariton, Missouri, 157; *Richard A. Young's Provost Marshal File*; Missouri State Archives, Union Provost Marshal Papers, Two or More Civilians: 1861–1867, Recruitment List of Volunteers for the United States Colored Troops for the State of Missouri, MSA # F1892.3, NARA # M1894-01, https://www.sos.mo.gov/archives/provost/provostPDF#cat3 (accessed April 7, 2023); Abram [sic] Bentley, "Civil War Pension Index: General Index to Pension Files, 1861–1934," NARA, RG 15, Series T288, Roll 32; Abraham Bentley, "Freedmen's Bureau Records, 1865–1878," NARA, RG 105, Series Number M2029, Reel 51; Abraham Bentley, "Colored Troops Military Service Records, 1863–1865," NARA, Serial Number M1822, Roll 65; Alexander Page, "Colored Troops Military Service Records, 1863–1865," NARA, Serial Number M1822, Roll 76.

110 Sources disagree on the victims' names, which victims were executed versus taken as guides, and how many bushwhackers committed the crime. The only victim cross-checked with Elizabeth Jenson's provost marshal file, the *O.R.*, census records, military records, and newspapers is Charles Jenson—Elizabeth's husband. These sources also agree that four men were slain.

O.R., Series 1, Vol. 34, Pt. 4, 363, 375–378; 1864 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Elizabeth Jenson*, Ellis Library Special Collections, Columbia, MO; 1860 Federal Manuscript Census, Chariton County, Missouri; Jacob Partenheimer, "Compiled Service Records of Volunteer Union Soldiers Who Served in Organization from the State of Missouri," National Archives, Washington, DC, Record Group 94, Roll 0781, Publication Number M405; *History of Howard and Chariton Counties*, 540; Walter Williams, *History of Northeast Missouri*, 327; *Westliche Post*, 17 June 1864; *Daily Missouri Republican*, 10 January 1865; and Stanley, Wilson, and Wilson, *Death Records from Missouri Newspapers*, 88.

Fisk immediately ordered a conventional force of "100 men under reliable officers to Chariton County" and mobilized the "organized militia" of central Missouri in an attempt to quell retaliatory violence.

O.R., Series 1, Vol. 34, Pt. 4, 377–378, 397, 400.

111 Victims' names confirmed by multiple sources include Charles Coleman and Charles Grotjohn.

O.R., Series 1, Vol. 34, Pt. 4, 437; *Carrollton Democrat*, 24 June 1864; *Daily Missouri Republican*, 19 June 1864 and 10 January 1865; Stanley, Wilson, and Wilson, *Death Records from Missouri Newspapers*, 34, 69.

The 1860 census lists many of the confirmed and alleged victims—including Charles Jenson, Charles Coleman, and Charles Grotjohn—with places of birth as Denmark or Prussia. Furthermore, the *Daily Missouri* Republican reported that the "victims of this lawless retaliation were peaceable Germans." This fits guerrillas' racist targeting. Historian Michael Fellman's analysis indicated that "German-Americans were one group singled out by guerrillas as enemy Unionists. Most southern-born Missourians coupled nativism to politics, targeting Germans, the largest immigrant group, as the greatest foe."

1860 Federal Manuscript Census, Chariton County, Missouri; *Daily Missouri Republican*, 10 January 1865; Fellman, *Inside War*, 39–40.

President Lincoln's private secretary, John G. Nicolay, wrote a letter summarizing Terman's reign of terror on 29 June 1864. In it, Nicolay claimed that "thirteen Union men have been murdered in retaliation."

Lincoln, Abraham. *Abraham Lincoln papers: Series 1. General Correspondence 1833 to 1916: John G. Nicolay to John Hay, Wednesday 29 June 1864 (Affairs in Missouri)*. 1864. Manuscript/mixed material. https://www.loc.gov/item/mal3413500/.

112 *O.R.,* Series 1, Vol. 41, Pt. 4, 814–815; *Daily Missouri Republican*, 10 January 1865; Walter Williams, *History of Northeast Missouri*, 327.

Multiple Union militias operated in Missouri. President Lincoln approved the formation of the Missouri State Militia (MSM) on 6 November 1861. Its purpose was to "cooperate with the troops in the service of the United States in repelling the invasion of the State of Missouri and in suppressing rebellion therein. . . . [I]t is not to be ordered out of the State of Missouri." This "drilled," "disciplined," and federally funded force of more than thirteen thousand men participated in regular and irregular duty; for example, they continuously scouted to exterminate guerrillas but also opposed Confederate general Sterling Price's 1864 raid through the state.

Missouri's provisional Unionist governor Hamilton R. Gamble authorized the Enrolled Missouri Militia (EMM) on 22 July 1862 "for the purpose of

exterminating the guerrillas that infest" the state. This militia called into service "every able-bodied man capable of bearing arms." The EMM boasted a strength of more than fifty thousand men by the end of 1862. However, the effectiveness of the EMM was almost immediately under scrutiny, as militia members went unpaid, and "some enrolling officers . . . allowed disloyal organizations to be perfected, either through neglect or disobedience of orders." The most infamous example of disloyal EMM was the "Paw Paw Militia" of northwest Missouri, the members of which were "nearly interchangeable with the guerrillas, who shared the countryside and operated in concert with them against loyal Union troops and citizens."

Last were the hyperlocal Home Guards, Citizen Guards, Union Leagues, Loyal Leagues, and vigilance committees—estimated to be "upward of 15,000" strong. By all accounts, "the records relative to their organization and service, and even with regard to the authority granted to individuals for the formation of companies and regiments, and the specific conditions of service, are very meager." Historian Michael Fellman argued that this group of militias' lack of discipline—as demonstrated by their using the cover of war to violently settle old scores within neighborhoods or cleanse neighborhoods of certain political ideologies, or by their dressing in civilian or bushwhacker clothes to entrap civilians—resulted in a state of terror and a breakdown of civil society in Missouri.

For a compilation of all official reports concerning the organization and purpose of Missouri's troops, see *Organization and Status of Missouri Troops*. See also *O.R.,* Series 1, Vol. 34, Pt. 4, 552–553; *O.R.,* Series 1, Vol. 48, Pt. 1, 135; Fellman, *Inside War*, 32, 112, 175; and Canan, "Missouri Paw Paw Militia."

In addition to the Unionist militias' actions depicted here, Edward A. Kutzner led the 39th Missouri Infantry—the same regiment with companies annihilated at the Centralia ambush—in pursuit of guerrillas around Glasgow from 1 November to 13 December 1864. Fisk ordered Kutzner to "kill bushwhackers, and worry the life out of their friends."

O.R., Series 1, Vol. 41, Pt. 3, 422; "Battle Unit Details—39th Regiment, Missouri Infantry," National Park Service, https://www.nps.gov/civilwar/search-battle-units-detail.htm?battleUnitCode=UM00039RI (accessed January 29, 2023). See also *O.R.,* Series 1, Vol. 41, Pt. 4, 461, 800–801, 815.

113 *O.R.,* Series 1, Vol. 41, Pt. 1, 415–417; *Daily Missouri Republican*, 10 January 1865; *History of Howard and Chariton Counties*, 405–406, 537; Walter Williams, *History of Northeast Missouri, 327*; Nichols, Guerrilla *Warfare*, 4:100–101.

114 *O.R.,* Series 1, Vol. 41, Pt. 4, 814–815; *Daily Missouri Republican*, 10 January 1865; *History of Howard and Chariton Counties*, 539–540; Democratic Party Platforms, 1864 Democratic Party Platform Online by Gerhard Peters and John T. Woolley, The American Presidency Project, https://www.presidency.ucsb.edu/node/273174 (accessed January 29, 2023); and Republican Party Platforms, 1864 Republican Party Platform Online by Gerhard Peters and John T. Woolley, The American Presidency Project, https://www.presidency.ucsb.edu/node/273298 (accessed January 29, 2023).

115 We chose not to depict these victims in full because of the unreliable source material reporting their deaths: newspapers; county histories published in the 1880s and in the twentieth century that cited unnamed oral histories; known irregular Lost Cause propaganda; and what one historian cited as "local sources"—most likely oral histories passed down within families.

This paragraph lists those names of victims of violence that could not be cross-checked in multiple sources: Joseph [James] Bittinger, James Brummall, Sashel

Carson, John Cooper, Mr. Dejarnette, Theophilus Edwards, Allen Farmer, George H. Fawks, Abner Finnell, John J. Flood, Mr. Franklin, Mr. Hastings, Moses Hurt, Mr. Jackson, John Jenson, Tazewell Jones, John W. Leonard, Mr. Lowe and his son, Mr. Mamm, John T. Marshall, John T. McAshan, John Donoldson [McDonald], John J. Morley, Henry Pattenheimer, Horatio Philpot, Mr. Pixley, William R. Redding, Mr. Robinson, Jesse Rodgers, Oliver Rose, Mr. Shuckey, Dr. Sour, John Stepp, Mr. Stratton, John Stenstra [Teenster], and an unnamed Black laborer. This list does not include those who lost property or were taken as prisoners.

Quote from *Daily Missouri Republican*, 10 January 1865. For sources depicting the thirty-nine killings and innumerable instances of property damage committed by guerrillas, Union soldiers, and Unionist militia in the wake of Terman's reign of terror, see *History of Howard and Chariton Counties*, 534–540; Walter Williams, *History of Northeast Missouri*, 326–327; Nichols, *Guerrilla Warfare*, 3:418; John Newman Edwards, Noted Guerrillas, 307; *Daily Missouri Republican*, 5 November 1864, 7 November 1864, 10 January 1865; and *Westliche Post*, 17 June 1864.

Chariton County was not the only county to suffer depopulation in the summer of 1864. For example, see *Missouri Telegraph*, 9 September 1864.

116&117 The following list corresponds with the numbers on the map and provides a complete rundown of the actions of William Anderson's guerrilla band between its return from Texas in early June 1864 and the beginning of the Centralia Massacre in late September, as described in Castel and Goodrich, *Bloody Bill Anderson*, 41–61.

Anderson's men targeted a mix of combatants and noncombatants—the U.S. Army, transportation and communication infrastructure, and civilians (often reported as Unionist civilians). They typically practiced torture and postmortem mutilation such as scalping.

1. **June 12, Johnson County—ambushed fourteen U.S. troops; killed twelve; stripped the bodies and scalped one**
2. **June 14, Lafayette County—ambushed thirty-five U.S. troops and a supply train; killed nine**
3. **June 84, Lafayette—took three Unionists hostage**
4. **July 4, Lafayette—fired on steamboats**
5. **July 7, Lafayette—Anderson issued a manifesto promising to murder anyone "in arms against the guerrillas" and justified his violence by citing the jailing and death of female family members at the hands of the U.S. Army; see O.R., Series 1, Vol. 41, Pt. 2, 75–77**
6. **July 11, Carroll County—murdered nine civilians using revolvers, bowie knives, and ropes**
7. **July 15, Randolph County—looted the town of Huntsville and murdered one civilian**
8. **July 16–22, Boone County—fired on steamboats**

9 & 10. July 23, Randolph—looted stores; cut telegraph wires; fired a railroad depot; engaged a U.S. detachment

11. **July 84, Randolph—ambushed a U.S. detachment; killed two; scalped and mutilated corpses**

12, 13, & 14. July 87, Shelby County—fired railroad depots, cars, a bridge, and a blockhouse; looted, pillaged, and robbed

15. **July 30, Randolph—tortured a civilian**
16. **July 31, Macon County—humiliated and tortured civilians**

17. August 1, Carroll—murdered a female civilian; scalped and decapitated a Home Guard member
18. August 2, Ray County—shot a furloughed U.S. officer and his father; stripped and robbed corpses; tortured a civilian
19. August 7, Platte County—tortured, killed, and mutilated a civilian
20. Clay County—spent almost a week hiding in camp
21. August 12, Ray—killed a U.S. captain and four soldiers
22. August 13, Carroll—killed, scalped, and mutilated two soldiers; killed a civilian
23. August 14, Carroll—ambushed U.S. detachments, killing between eight and fifteen
24. August 15–29, Howard County—"operated in this general region . . . leaving mutilated corpses and plundered farms in his wake"
25. August 20, Boone—skirmished with the 17th Illinois Cavalry; «several wounded on both sides"
26. August 28, Howard—ambushed, killed, and mutilated "a dozen or more" soldiers of the 4th Missouri State Militia; castrated one or more; "'skinned' and left [a] body dangling from a tree branch"
27. August 29 to September 11, Boone—fired on steamboats; killed one crew member; robbed
28. September 12, Boone—U.S. militia ambushed guerrillas; killed five men and captured seven horses
29 & 30. September 23, Boone—ambushed a wagon train and eighty U.S. soldiers; unknown number killed; bodies stripped and mutilated; detachment of the 9th Missouri State Militia tracked down guerrillas, killing and scalping seven
31. September 84, Howard—failed ambush of Union garrison at Fayette

Previous to the summer of 1864, Missouri's guerrillas largely operated in western Missouri. Scholars have debated why their operations shifted to central Missouri. Joseph Beilein Jr. argued that "after rebel women were removed from the border and the houses put to the torch [as a result of General Orders No. 11], the guerrilla warfare in that region never fully recovered. Now that their families had moved from the border, guerrillas no longer needed to protect the households or communities in that area. Of course, their departure also meant that the support system for guerrillas no longer existed on the border. If the guerillas remained, they would be starved, naked, unarmed, and exposed in nearly every way." On the other hand, Albert Castel and Thomas Goodrich claimed that General Orders No. 11 "had no such effect . . . of making it impossible for the guerrillas to maintain themselves in th[e] region." A resettlement program (Order No. 2) under Brigadier General E. B. Brown in January 1864 brought families back to the region. Castel argued that some were disloyal and brought guerrillas with them.

Mapping the Union Provost Marshal Papers' reports of guerrilla violence before and after General Orders No. 11 shows that the policy substantially decreased guerrilla violence on the border (see Figure 1).

Beilein, *Bushwhackers*, 32; Castel and Goodrich, *Bloody Bill Anderson*, 31; Castel, "Order No. 11"; and *O.R.,* Series 1, Vol. 34, Pt. 2, 79–80. See also Whites, "Forty Shirts and a Wagonload."

For more on Quantrill losing authority over guerrillas while in Texas, see Beilein, *Man by Any Other Name*.

118 Much as in chapter 1, discrepancies exist for nearly every detail of the Centralia Massacre. For an explanatory note on sources concerning the Centralia Massacre and ambush, see chapter 1 notes.
Illustrations on this page are based on accounts from the list of contemporary secondary sources and secondary sources published in the late nineteenth and early twentieth centuries.

119 Quote taken from Switzler, *History of Boone County Missouri*, 445.

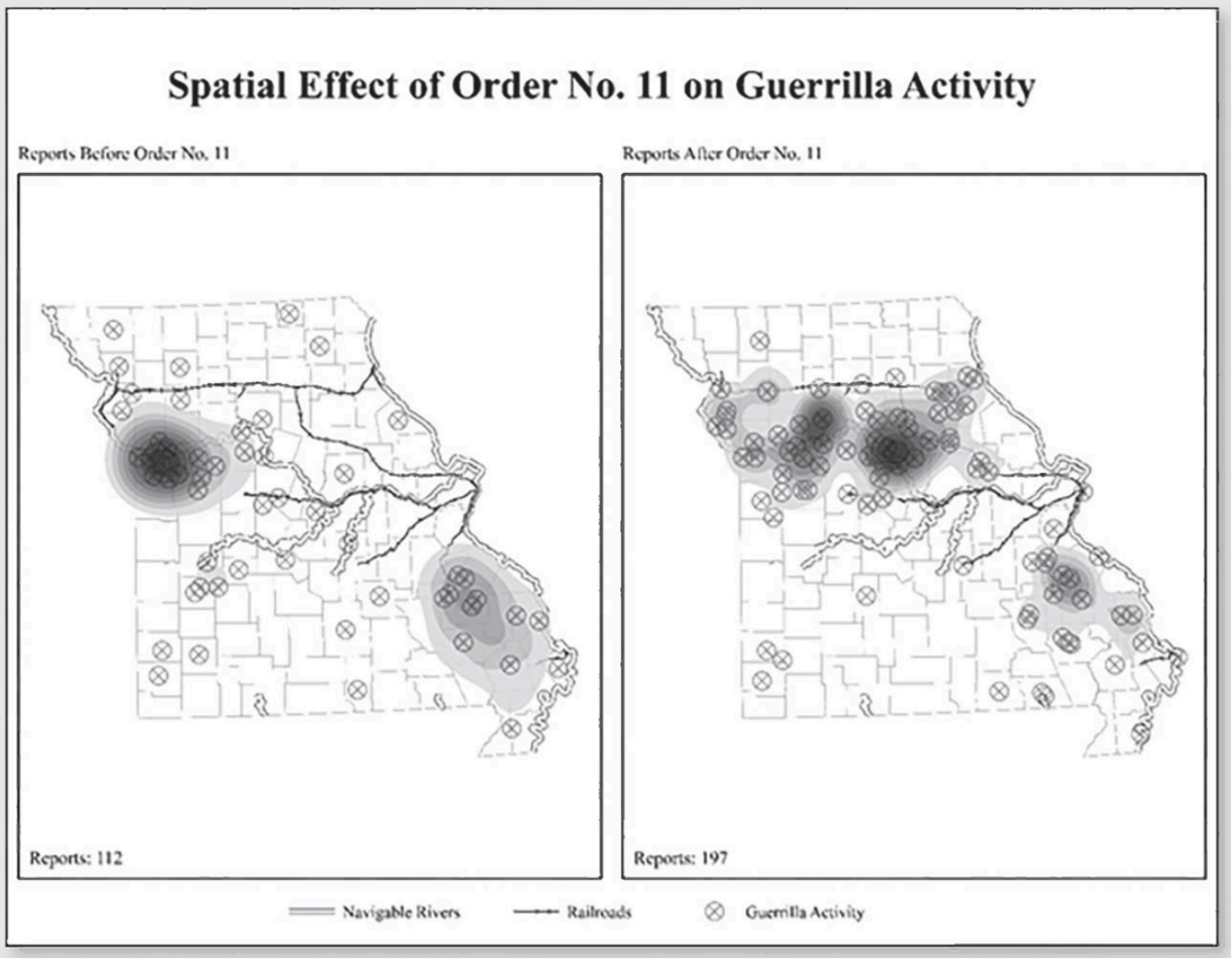


Figure 1. Andrew Fialka, Of Methods and Madness: A Spatial History Approach to the Civil War's Guerrilla Violence, http://ehistory.org/projects/of-methods-and-madness.html, published April 2015 (accessed October 5, 2022).

Numerous accounts of the Centralia Massacre depict guerrillas' binge-drinking whiskey on the morning of 27 September 1864. The guerrillas consumed at least one barrel of whiskey (but possibly more). And they did so quickly, drinking huge quantities out of stolen riding boots. One newspaper reported that guerrillas took "$1,500 in whiskey and wool" (over $29,000 in 2024 dollars) in just a few hours.
Switzler, *History of Boone County, Missouri*, 443; *Columbia Missouri Statesman*, 30 September 1864; *Shelby County Herald*, 27 October 1897; Cummins, *Jim Cummins' Book*, 70; Goodman, *Thrilling Record*, 47–48; *Leavenworth Evening Bulletin*, 29 September 1864; and *Centralia Fireside Guard*, 12 and 26 September 1924.

The amount of alcohol guerrillas consumed raises the question of whether drunkenness was to blame for the unparalleled violence at Centralia. Historian Joseph Beilein Jr. argued that it "would be a mistake to think that whiskey was the cause of the violence. . . . Rather, alcohol made these men capable of waging the type of nasty, destructive warfare that was required of them. . . . In the right hands, alcohol could be used by a guerrilla to maintain and even perfect the most deadly weapon of the war—man." In Beilein's analysis, guerrillas' drinking followed a long pattern of soldiers using alcohol to cope with war. Guerrillas, unhampered by the oversight of a conventional army, simply had the opportunity to imbibe more than others.

Beilein, "Whiskey, Wild Men," 256.

A significant robbery of a stagecoach took place during the guerrillas' whiskey binge that is not pictured here. U.S. congressman James Sidney Rollins was aboard the stagecoach and, as a Unionist, feared for his life. He lied about his identity to avoid detection.

Switzler, *History of Boone County Missouri*, 443–445; Castel and Goodrich, *Bloody Bill Anderson*, 73–74; Rodemyre, *History of Centralia, Missouri*, 27–28.

120 Descriptions of the train taken from its engineer, James Clark, its conductor, R. H. Overall, and a civilian, J. F. Benjamin, who conversed with the train's passengers Immediately following the massacre. See *Kansas City Post, 14* September 1907; *St. Louis Globe-Democrat*, 10 October 1864; and J. F. Benjamin to John Paddock, 30 September 1864, John and Diana Benjamin Letters, State Historical Society of Missouri.

Descriptions of the train robbery and massacre come from sources listed in the chapter 1 notes, most specifically a report of Chas. H. Lathrop, Surgeon 1st Iowa Cavalry, printed in St. *Louis Globe-Democrat*, 4 October 1864; Goodman, *Thrilling Record*, 21–25; Castel and Goodrich, *Bloody Bill Anderson*, 79–86; Thiessen, Scott, and Dasovich, *"This Work of Fiends,"* 5–7; Goodrich, *Black Flag*, 140; *Columbia Missouri Statesman*, 30 September 1864; Switzler, *History of Boone County Missouri*, 446–449; and Rodemyre, *History of Centralia, Missouri*, 24–33. Surrender quote from Goodman, *Thrilling Record, 21*.

121 For the best breakdown of the furloughed Union soldiers on the train, see Thiessen, Scott, and Dasovich, *"This Work of Fiends,"* 24–26. Quote from Paddock letter, John and Diana Benjamin Letters, State Historical Society of Missouri.

122 Discrepancies exist in source material concerning this page's dialogue. We relied on the lone eyewitness, Thomas Goodman, for panels 2 and 3 and on county histories for panel 5.

Goodman, *Thrilling Record*, 22–24; Castel and Goodrich, *Bloody Bill Anderson*, 83; *St. Joseph Morning Herald*, 30 September 1864; Switzler, *History of Boone County Missouri*, 448; and Rodemyre, *History of Centralia, Missouri*, 30.

123 *Kansas City Post*, 14 September 1907.

124–127 Illustrations on these pages are taken from competing versions of the execution depicted in the sources from note 122 and chapter 1, A Note on Sources.

Chapter 7. The Conclusion

130.1 *Terman's Court-Martial Trial—Rosecrans Disapproval, War Department's Judge Advocate General's Response, Secretary of War Response*; *O.R.,* Series 1, Vol. 48, Part 2, 773–774.

For Terman's transfer from St. Joseph to a St. Louis prison before his disapproval and release, see Truman, Harry, "Papers of and Relating to Military and Civilian Personnel, 1861–1865," RG 109, Roll 0398, PN M347; and J W Terman, "Selected Records of the War Department Relating to Confederate Prisoners of War, 1861–1865," RG 109.14.2, Roll M598_14.

130.2 1864 *Missouri Union Provost Marshal File for Two or More Individuals*, Ellis Library Special Collections, Columbia, MO, Files 22705 and 17912; *Terman's Court-Martial Trial—Dodge to War Department*; Dodge, G M, "Letters Received by the Office of the Adjutant General, 1860–1870," NARA, Washington, DC, RG 94, Roll 0380, File Number M819; Truman, Harry, "Papers of and Relating to Military and Civilian Personnel, 1861–1865," RG 109, Roll 0398, PN M347; Terman, J W, "Papers of and Relating to Military and Civilian Personnel, 1861–1865," RG 109, Roll 0389, PN M347; J W Terman, "Selected Records of the War Department Relating to Confederate Prisoners of War, 1861–1865," RG 109.14.2, Roll M598_14; *O.R.,* Series 1, Vol. 48, Pt. 2, 472, 485, 499, 512, 587–588, 615, 643, 760, 773–774; *Daily Missouri Republican*, 22 April 1865; *Howard County Advertiser*, 31 August 1865.

Additional records illustrate Terman's attempt to secure his release by falsely claiming Bill Anderson was alive, as well as confusion within Confederate prisoners of war records (which noted the time period Terman was in the field on Dodge's orders as a prison "escape"). See Truman, Harry, "Papers of and Relating to Military and Civilian Personnel, 1861–1865," RG 109, Roll 0398, PN M347; J W Terman, "Selected Records of the War Department Relating to Confederate Prisoners of War, 1861–1865," RG 109.14.2, Roll M598_14.

131.3 On Terman's counterfeiting money and his 1866 arrest and release, see Missouri State Archives, "Missouri State Penitentiary Database," Record Group S213, Volume C, Page 83, https://sl.sos.mo.gov/records/archives/archivesdb/msp/Detail.aspx?id=59937 (accessed January 14, 2023); *Daily Missouri Republican*, 17 and 22 January 1866; *Warrensburg Standard*, 26 January 1866, 22 April 1869, and 27 May 1869; *White Cloud Kansas Chief*, 1 February 1866; *People's Tribune*, 31 October 1866; *Missouri Republican*, 25 and 30 March 1869; *Weekly People's Tribune*, 2 June 1869; and *St. Joseph Gazette, 6* June 1869.

On Terman's land fraud scheme and 1879 arrest, see *Pleasanton Observer-Enterprise*, 7 December 1878; *Allen County Democrat*, 30 January 1879; *Weekly Republican*, 8 July 1880; and *Dubuque Daily Times*, 17 January 1882.

On Terman's patents while in Iowa, see *New Era*, 7 January and 20 May 1886; *Fort Madison Daily Democrat*, 4 August 1886; *Muscatine Journal*, 18 February 1889; *Courier*, 30 July 1890, 25 March 1892, 11 April 1896; *Davenport Morning Star*, 2 April 1892; *Perry* Bulletin, 6 February 1896; *Ames Times*, 6 February 1896; *Dubuque Daily Times*, 9 April 1896; and *Gazette*, 10 April 1896. See also "James W. Terman," Iowa, U.S., Select Marriages Index, 30 September 1876; "Lu. Turman," 1880 Federal Manuscript Census, Mahaska County, Iowa; "James W. Terman," 1900 Federal Manuscript Census, Mahaska County, Iowa.

On Terman's failing health, see *Evening Times-Republican*, 19 October 1900; and *Oskaloosa Herald*, 24 January 1901.

For more on nineteenth-century con men, see Halttunen, *Confidence Men and Painted Women*.

131.4 For Francis Lieber's *Guerrilla Parties Considered with, Reference to the Laws and Usages of War, see O.R.,* Series 3, Vol. 2, 301–309.

132.5 1865 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Isabella Fox*, File 14926, Ellis Library Special Collections, Columbia, MO; 1865 *Missouri Union Provost Marshal File of Papers Relating to Individual Citizens: Case against Mellisa Fox*, Ellis Library Special Collections, Columbia, MO; 1865 *Missouri Union Provost Marshal File of Papers Relating to Two or More Civilians: Cases against America & Josephine Huckshorn*, File 14508, Roll M416–051; "Prisoners: St. Louis, Mo. (Gratiot Street Prison)," *Union Provost Marshals' File of Papers Relating to Two or More Civilians*, Roll M416_92 & M416_93. Provost marshal files relating to multiple citizens and the prison records are available online at https://www.sos.mo.gov/archives/provost/provostPDF#cat2 (accessed March 27, 2023). Images on this page were taken from the above records.

For Edward Huckshorn's service record and the 42nd Missouri Infantry's battle unit details, see National Park Service, "Soldiers and Sailors Database," https://www.nps.gov/civilwar/search-soldiers-detail.htm?soldierId=C3F671AA-DC7A-DF11-BF36-B8AC6F5D926A & https://www.nps.gov/clvilwar/search-battle-unlts-detail.htm?battleUnitCode=UM00042RI (accessed March 28, 2023).

For the quote in the last paragraph, see Sutherland, "Sideshow No Longer," 5.

133 Anderson's image courtesy of the State Historical Society of Missouri.

133.6 Castel and Goodrich, *Bloody Bill Anderson*, 123–130.

133.7 John Newman Edwards, *Noted Guerrillas*, 165; Fellman, *Inside War*; Castel and Goodrich, *Bloody Bill Anderson*, 130, 144.

133.8 Clausewitz, *On War*, 1–16.

133.9 Downs and Nesbit, Mapping Occupation. See also Sheehan-Dean, "Long Civil War"; and Bynum, *Long Shadow*.

134.10 National Archives, "Records of the Field Offices for the State of Tennessee, Bureau of Refugees, Freedmen, and Abandoned Lands, 1865–1872," M1911, https://www.archives.gov/ffies/research/microfilm/m1911.pdf (accessed March 28, 2023).

For Fisk's actions and racial attitudes during Reconstruction, especially his role in endowing Fisk University, see Fisk, *Plain Counsels for Freedmen*; and Hopkins, *Life of Clinton Bowen Fisk*. Also see Library of Congress Manuscript Division, "Clinton Bowen Fisk correspondence and journal, 1862–1865," Washington, DC, MSS1408.

134.11 Benchmark titles on the Reconstruction era depict innumerable instances of violence. See Du Bois, *Black Reconstruction in America*; and Foner, *Reconstruction. For* an excellent collection of primary sources concerning Reconstruction, see Simpson, *Reconstruction*. For a specific example of sexual violence during Reconstruction, see Rosen, *Terror in the Heart*.

Racial violence during Reconstruction typically falls into separate historiographies on Reconstruction, the Ku Klux Klan, or lynching, not in Civil War guerrilla studies.

Equal Justice Initiative, "Reconstruction in America: Racial Violence after the Civil War, 1865–1876," https://eji.org/report/reconstruction-in-america/; Pfeifer, "At the Hands of Parties"; Egerton, Wars *of Reconstruction*; Kidada E. Williams, *I Saw Death Coming*; Rable, But *There* Was *No Peace*; Martinez, *Carpetbaggers, Cavalry*; Emberton, *Beyond Redemption*; Severance, *Tennessee's Radical Army*.

134.12 Civil War historians have only recently begun connecting wartime guerrilla and occupation studies with Reconstruction's irregular violence. Scholarship on Union occupation began in 1965 with Gerald M. Capers's case study of occupied New Orleans. He identified a relationship between occupation and guerrilla war, but the concept did not take hold in mainstream academic works until the 1990s, when scholars like Stephen Ash, Mark Grimsley, Michael Fellman, and Daniel Sutherland thoroughly explored the relationship over different geographic spaces and time (excluding Reconstruction, that is).

Capers, Occupied *City*. Also see chapter 2, note 28.8.

Connections between wartime guerrilla tactics and postwar white supremacist vigilante groups dot primary sources and the earliest histories of Reconstruction. For example, in September 1875, a Black Mississippi civilian, Sarah A. Dickey, wrote President Grant that "these Southern people are simply carrying on a kind of gurrilla [sic] war and I know that they are planning to continue in this course until they shall have succeeded in killing thousands of colored men and of reducing the remnant to a condition of slavery." W. E. B. DuBois lamented whites who turned "from war service to guerrilla warfare, particularly against Negroes," in the war's aftermath. More recent occupation studies now recognize these connections as standard, stating that the "guerrilla conflict, which engulfed most occupied regions during the war, remained a fixture of the postwar landscape."

Sarah A. Dickey to Ulysses S. Grant, Mississippi, September 1875, in Simpson, *Reconstruction*, 595–596; Du Bois, *Black Reconstruction in America*, 117; Lang, *In the Wake of War*, 191. Also see Noe, "'Disturbers of the Peace'"; and Fisher, *War at Every Door*.

Historians have cataloged the Confederacy's decision to not wage a guerrilla war after Appomattox. Still, guerrilla warfare loomed large in southerners' psyche. Historian Mark E. Neely Jr. noted that the "power of irregular warfare in the

popular mind contained hidden cultural values that seized the imagination. The myth of the utility and even superiority of partisan and irregular warfare had embedded within it vaguely held ideals: anti-European, anti-elitist, anti-standing armies, informal, democratic, frontier-inspired, and rural or pastoral."
Neely, "Guerrilla Warfare, Slavery," 405–406. See also Fredrickson, *Why the Confederacy*; and Gallagher, *Fighting for the Confederacy*, 532.

134.13 Astor, *Rebels on the Border*, 810.

134.14 Janney, *Ends of War*, 3; Bynum, *Free State of Jones*; Downs, *After Appomattox*; Lang, *In the Wake of War*; and Cimbala and Miller, Great *Task Remaining before Us*. Memory studies in recent years also make this argument. See Goldfield, Still *Fighting the Civil War*. Other scholars disagree with expanding the war's chronology, arguing that postwar Confederates' goal "had been vastly scaled back from establishment of an overtly slaveholding republic to regaining political power and maintaining white supremacy." See Gallagher and Meier, "Coming to Terms," 493.

135 For images, see Downs and Nesbit, Mapping Occupation; and Thomas Nast, "The Union as It Was, the Lost Cause, Worse Than Slavery," 1874.

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